

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 994

Introduced by Mines, 18; Combs, 32; Cudaback, 36; Redfield, 12

Read first time January 12, 2004

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-311.03
2 to 60-311.05, 60-311.07 to 60-311.10, 60-311.13,
3 60-311.17, 60-311.21, 60-311.25, 60-323, 60-324,
4 60-331.03, 60-334, 60-345, 60-347, and 60-683, Reissue
5 Revised Statutes of Nebraska, sections 18-1736, 18-1737,
6 60-108, 60-117, 60-304, 60-311.11, 60-311.12, 60-311.14,
7 60-311.23, 60-315, 60-315.01, 60-335, 60-6,197.01,
8 60-1901 to 60-1903, 60-1908, and 81-2005, Revised
9 Statutes Supplement, 2002, and sections 60-301,
10 60-305.03, 60-305.04, 60-310, 60-311, 60-311.02,
11 60-311.16, 60-320, 60-321, 60-331, 60-361, and 60-1306,
12 Revised Statutes Supplement, 2003; to provide for one
13 license plate and In Transit decal per vehicle; to change
14 provisions relating to license plates; to eliminate
15 obsolete language; to harmonize provisions; to provide an
16 operative date; and to repeal the original sections.
17 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 18-1736, Revised Statutes Supplement,
2 2002, is amended to read:

3 18-1736. (1) A city or village may designate parking
4 spaces, including access aisles, for the exclusive use of (a)
5 handicapped or disabled persons whose motor vehicles display the
6 distinguishing license ~~plates~~ plate issued to a handicapped or
7 disabled ~~persons~~ person pursuant to section 60-311.14, (b)
8 handicapped or disabled persons whose motor vehicles display a
9 distinguishing license plate issued to a handicapped or disabled
10 person by another state, (c) such other handicapped or disabled
11 persons or temporarily handicapped or disabled persons, as
12 certified by the city or village, whose motor vehicles display the
13 permit specified in section 18-1739, and (d) such other motor
14 vehicles, as certified by the city or village, which display the
15 permit specified in section 18-1739. All such permits shall be
16 displayed by hanging the permit from the motor vehicle's rearview
17 mirror so as to be clearly visible through the front windshield.
18 The permit shall be displayed on the dashboard only when there is
19 no rearview mirror.

20 (2) If a city or village so designates a parking space or
21 access aisle, it shall be indicated by posting aboveground and
22 immediately adjacent to and visible from each space or access aisle
23 a sign as described in section 18-1737. In addition to such sign,
24 the space or access aisle may also be indicated by blue paint on
25 the curb or edge of the paved portion of the street adjacent to the
26 space or access aisle.

27 (3) For purposes of sections 18-1736 to 18-1742, access
28 aisle means a space adjacent to a handicapped parking space or

1 passenger loading zone which is constructed and designed in
2 compliance with the federal Americans with Disabilities Act of 1990
3 and the federal rules and regulations adopted and promulgated in
4 response to the act, as the act and the rules and regulations
5 existed on May 31, 2001.

6 Sec. 2. Section 18-1737, Revised Statutes Supplement,
7 2002, is amended to read:

8 18-1737. (1) Any city or village, any state agency, and
9 any person in lawful possession of any offstreet parking facility
10 may designate stalls or spaces, including access aisles, in such
11 facility owned or operated by the city, village, state agency, or
12 person for the exclusive use of handicapped or disabled persons
13 whose motor vehicles display the distinguishing license ~~plates~~
14 plate issued to such individuals pursuant to section 60-311.14,
15 such other handicapped or disabled persons or temporarily
16 handicapped or disabled persons, as certified by the city or
17 village, whose motor vehicles display the permit specified in
18 section 18-1739, and such other motor vehicles, as certified by the
19 city or village, which display such permit. Such designation shall
20 be made by posting aboveground and immediately adjacent to and
21 visible from each stall or space, including access aisles, a sign
22 which is in conformance with the Manual on Uniform Traffic Control
23 Devices adopted pursuant to section 60-6,118 and the federal
24 Americans with Disabilities Act of 1990 and the federal rules and
25 regulations adopted and promulgated in response to the act, as the
26 act and the rules and regulations existed on May 31, 2001.

27 (2) The owner or person in lawful possession of an
28 offstreet parking facility, after notifying the police or sheriff's

1 department, as the case may be, and any city, village, or state
2 agency providing onstreet parking or owning, operating, or
3 providing an offstreet parking facility may cause the removal, from
4 a stall or space, including access aisles, designated exclusively
5 for handicapped or disabled persons or temporarily handicapped or
6 disabled persons or motor vehicles for the transportation of
7 handicapped or disabled persons or temporarily handicapped or
8 disabled persons, of any vehicle not displaying the proper permit
9 or the distinguishing license ~~plates~~ plate specified in this
10 section if there is posted aboveground and immediately adjacent to
11 and visible from such stall or space, including access aisles, a
12 sign which clearly and conspicuously states the area so designated
13 as a tow-in zone.

14 (3) A person who parks a vehicle in any onstreet parking
15 space or access aisle which has been designated exclusively for
16 handicapped or disabled persons or temporarily handicapped or
17 disabled persons or motor vehicles for the transportation of
18 handicapped or disabled persons or temporarily handicapped or
19 disabled persons, or in any so exclusively designated parking space
20 or access aisle in any offstreet parking facility, without properly
21 displaying the proper permit or when the handicapped or disabled
22 person to whom or for whom, as the case may be, the license plate
23 or permit is issued will not enter or exit the vehicle while it is
24 parked in the designated space or access aisle shall be guilty of a
25 handicapped parking infraction as defined in section 18-1741.01 and
26 shall be subject to the penalties and procedures set forth in
27 sections 18-1741.01 to 18-1741.07. The display on a motor vehicle
28 of a distinguishing license plate or permit issued to a handicapped

1 or disabled person by and under the duly constituted authority of
2 another state shall constitute a full and complete defense in any
3 action for a handicapped parking infraction as defined in section
4 18-1741.01. If the identity of the person who parked the vehicle
5 in violation of this section cannot be readily determined, the
6 owner or person in whose name the vehicle is registered shall be
7 held prima facie responsible for such violation and shall be guilty
8 and subject to the penalties and procedures described in this
9 section. In the case of a privately owned offstreet parking
10 facility, a city or village shall not require the owner or person
11 in lawful possession of such facility to inform the city or village
12 of a violation of this section prior to the city or village issuing
13 the violator a handicapped parking infraction citation.

14 (4) For purposes of this section and section 18-1741.01,
15 state agency means any division, department, board, bureau,
16 commission, or agency of the State of Nebraska created by the
17 Constitution of Nebraska or established by act of the Legislature,
18 including the University of Nebraska and the Nebraska state
19 colleges, when the entity owns, leases, controls, or manages
20 property which includes offstreet parking facilities.

21 Sec. 3. Section 60-108, Revised Statutes Supplement,
22 2002, is amended to read:

23 60-108. (1) The Department of Motor Vehicles shall adopt
24 and promulgate rules and regulations to insure uniform and orderly
25 operation of Chapter 60, article 1, and the county clerks of all
26 counties shall conform to such rules and regulations and act at the
27 direction of the department. The department shall also provide the
28 county clerks with the necessary training for the proper

1 administration of Chapter 60, article 1. The department shall
2 receive all instruments forwarded to it by the county clerks under
3 Chapter 60, article 1, and shall maintain indices covering the
4 state at large for the instruments so received. These indices
5 shall be by motor number or by an identification number as provided
6 for in section 60-302 and alphabetically by the owner's name and
7 shall be for the state at large and not for individual counties.
8 The department shall provide and furnish the forms required by
9 section 60-114, except manufacturers' or importers' certificates.

10 (2) The department shall check with its records all
11 duplicate certificates of title received from the county clerks.
12 If it appears that a certificate of title has been improperly
13 issued, the department shall cancel the same. Upon cancellation of
14 any certificate of title, the department shall notify the county
15 clerk who issued the same, and such county clerk shall thereupon
16 enter the cancellation upon his or her records. The department
17 shall also notify the person to whom such certificate of title was
18 issued, as well as any lienholders appearing thereon, of the
19 cancellation and shall demand the surrender of such certificate of
20 title, but the cancellation shall not affect the validity of any
21 lien noted thereon. The holder of such certificate of title shall
22 return the same to the department forthwith. If a certificate of
23 registration has been issued to the holder of a certificate of
24 title so canceled, the department shall immediately cancel the same
25 and demand the return of such certificate of registration and
26 license ~~plates or tags~~ plate or tag, and the holder of such
27 certificate of registration and license ~~plates or tags~~ plate or tag
28 shall return the same to the department forthwith.

1 (3) The county clerk shall keep on hand a sufficient
2 supply of blank forms which, except certificate of title and forms,
3 shall be furnished and distributed without charge to manufacturers,
4 licensed dealers, or other persons residing within the county.

5 (4) If a county board consolidates services under the
6 office of a designated county official other than the county clerk
7 pursuant to section 23-186, the designated county official shall
8 conform to the applicable rules and regulations of the department,
9 shall take the training provided by the department, and shall keep
10 on hand a sufficient supply of blank forms which, except for
11 certificate of title and forms, shall be furnished and distributed
12 without charge to manufacturers, licensed dealers, or other persons
13 residing within the county.

14 Sec. 4. Section 60-117, Revised Statutes Supplement,
15 2002, is amended to read:

16 60-117. (1) Except as otherwise provided for in sections
17 60-102 to 60-130, a person who operates in this state a motor
18 vehicle for which a certificate of title is required without having
19 such certificate in accordance with sections 60-102 to 60-130 or
20 upon which the certificate of title has been canceled shall be
21 guilty of a Class III misdemeanor.

22 (2) Except as otherwise provided for in sections 60-102
23 to 60-130, a person who is a dealer or acting on behalf of a dealer
24 and who acquires, purchases, holds, or displays for sale a new
25 motor vehicle without having obtained a manufacturer's or
26 importer's certificate or a certificate of title therefor as
27 provided for in sections 60-102 to 60-130 shall be guilty of a
28 Class III misdemeanor.

1 (3) A person who fails to surrender any certificate of
2 title or any certificate of registration or license ~~plates or tags~~
3 plate or tag upon cancellation of the same by the Department of
4 Motor Vehicles and notice thereof as prescribed in sections 60-102
5 to 60-130 shall be guilty of a Class III misdemeanor.

6 (4) A person who fails to surrender the certificate of
7 title to the county clerk as provided in sections 60-102 to 60-130
8 in case of the destruction or dismantling or change of a motor
9 vehicle in such respect that it is not the motor vehicle described
10 in the certificate of title shall be guilty of a Class III
11 misdemeanor.

12 (5) A person who purports to sell or transfer a motor
13 vehicle without delivering to the purchaser or transferee thereof a
14 certificate of title or a manufacturer's or importer's certificate
15 thereto duly assigned to such purchaser as provided in sections
16 60-102 to 60-130 shall be guilty of a Class III misdemeanor.

17 (6) A person who knowingly alters or defaces a Nebraska
18 certificate of title shall be guilty of a Class III misdemeanor.

19 (7) Except as provided in section 60-129.04, a person who
20 violates any of the other provisions of sections 60-102 to 60-130
21 or any lawful rules or regulations adopted and promulgated pursuant
22 to the provisions of sections 60-102 to 60-130 shall be guilty of a
23 Class III misdemeanor.

24 Sec. 5. Section 60-301, Revised Statutes Supplement,
25 2003, is amended to read:

26 60-301. For purposes of Chapter 60, article 3, unless
27 the context otherwise requires:

28 (1) Agricultural products means field crops and

1 horticultural, viticultural, forestry, nut, dairy, livestock,
2 poultry, bee, and farm products, including sod grown on the land
3 owned or rented by the farmer, and the byproducts derived from any
4 of them;

5 (2) Apportionable vehicle means any vehicle used or
6 intended for use in two or more member jurisdictions that allocate
7 or proportionally register vehicles and used for the transportation
8 of persons for hire or designed, used, or maintained primarily for
9 the transportation of property. Apportionable vehicle does not
10 include any recreational vehicle, vehicle displaying restricted
11 plates, city pickup and delivery vehicle, bus used in the
12 transportation of chartered parties, or government-owned vehicle.
13 Such vehicle shall either (a) be a power unit having two axles and
14 a gross vehicle weight or registered gross vehicle weight in excess
15 of twenty-six thousand pounds, (b) be a power unit having three or
16 more axles, regardless of weight, or (c) be used in combination
17 when the weight of such combination exceeds twenty-six thousand
18 pounds gross vehicle weight. Vehicles or combinations of vehicles
19 having a gross vehicle weight of twenty-six thousand pounds or less
20 and two-axle vehicles and buses used in the transportation of
21 chartered parties may be proportionally registered at the option of
22 the registrant;

23 (3) Automobile liability policy means liability insurance
24 written by an insurance carrier duly authorized to do business in
25 this state protecting other persons from damages for liability on
26 account of accidents occurring subsequent to the effective date of
27 the insurance arising out of the ownership of a motor vehicle (a)
28 in the amount of twenty-five thousand dollars because of bodily

1 injury to or death of one person in any one accident, (b) subject
2 to the limit for one person, in the amount of fifty thousand
3 dollars because of bodily injury to or death of two or more persons
4 in any one accident, and (c) in the amount of twenty-five thousand
5 dollars because of injury to or destruction of property of other
6 persons in any one accident. An automobile liability policy shall
7 not exclude liability coverage under the policy solely because the
8 injured person making a claim is the named insured in the policy or
9 residing in the household with the named insured;

10 (4) Base jurisdiction means, for purposes of fleet
11 registration, the jurisdiction where the registrant has an
12 established place of business, where miles or kilometers are
13 accrued by the fleet, and where operational records of such fleet
14 are maintained or can be made available. For such purpose, there
15 is hereby adopted and incorporated by reference section 1602 of
16 Article XVI, International Registration Plan, adopted by the
17 American Association of Motor Vehicle Administrators, as revised
18 October 1, 2001;

19 (5) Cabin trailer means any vehicle without motive power
20 designed for living quarters and for being drawn by a motor vehicle
21 and not exceeding one hundred two inches in width, forty feet in
22 length, or thirteen and one-half feet in height, except as provided
23 in subdivision (2) (k) of section 60-6,288;

24 (6) Commercial trailer means any trailer or semitrailer
25 designed, used, or maintained for the transportation of persons or
26 property for hire, compensation, or profit or designed, used, or
27 maintained primarily for the transportation of property and does
28 not include farm trailers, fertilizer trailers, utility trailers,

1 or cabin trailers;

2 (7) Commercial vehicle means any motor vehicle used or
3 maintained for the transportation of persons or property for hire,
4 compensation, or profit or designed, used, or maintained primarily
5 for the transportation of property and does not include farm
6 trucks;

7 (8) Evidence of insurance means evidence of a current and
8 effective automobile liability policy;

9 (9) Farm trailer means any trailer or semitrailer (a)
10 used exclusively to carry a farmer's or rancher's own supplies,
11 farm equipment, and household goods to or from the owner's farm or
12 ranch, (b) used by the farmer or rancher to carry his or her own
13 agricultural products, livestock, and produce to or from storage
14 and market and attached to a passenger car, commercial-licensed
15 vehicle registered for sixteen tons or less, or farm-licensed
16 vehicle, or (c) used by a farmer or rancher to carry his or her own
17 agricultural products, livestock, and produce to and from market.
18 Such trailers shall carry on their license plate, in addition to
19 the registration number, the letter X. Farm trailer does not
20 include a trailer so used when attached to a farm tractor;

21 (10) Farm trucks means trucks, including combinations of
22 trucks or truck-tractors and trailers or semitrailers, of farmers
23 or ranchers (a) used exclusively to carry a farmer's or rancher's
24 own supplies, farm equipment, and household goods to or from the
25 owner's farm or ranch, (b) used by the farmer or rancher to carry
26 his or her own agricultural products, livestock, and produce to or
27 from storage or market, (c) used by farmers or ranchers in exchange
28 of service in such hauling of such supplies or agricultural

1 products, livestock, and produce, or (d) used occasionally to carry
2 camper units, to pull boats or cabin trailers, or to carry or pull
3 museum pieces or vehicles of historical significance, without
4 compensation, to events for public display or educational purposes.
5 ~~Such trucks~~ A farm truck may carry on ~~their license plates~~ its
6 license plate, in addition to the registration number, the
7 designation farm and the words NOT FOR HIRE;

8 (11) Fertilizer trailer means any trailer, including
9 gooseneck applicators or trailers, designed and used exclusively to
10 carry or apply agricultural fertilizer or agricultural chemicals
11 and having a gross weight, including load thereon, of twenty
12 thousand pounds or less. ~~Such trailers~~ A fertilizer trailer shall
13 carry on ~~their license plate~~ its license plate, in addition to the
14 registration number, the letter X;

15 (12) Film vehicle means any motor vehicle or trailer used
16 exclusively by a nonresident production company temporarily on
17 location in Nebraska producing a feature film, television
18 commercial, documentary, or industrial or educational videotape
19 production;

20 (13) Fleet means one or more apportionable vehicles;

21 (14) Highways means public streets, roads, turnpikes,
22 parks, parkways, drives, alleys, and other public ways used for the
23 passage of road vehicles;

24 (15) Injurisdiction distance means total miles or
25 kilometers operated (a) in the State of Nebraska during the
26 preceding year by the motor vehicle or vehicles registered and
27 licensed for fleet operation and (b) in noncontracting reciprocity
28 jurisdictions by fleet vehicles that are base-plated in Nebraska;

1 (16) Local truck means a truck and combinations of
2 trucks, truck-tractors, or trailers or semitrailers operated solely
3 within an incorporated city or village or within ten miles of the
4 corporate limits of the city or village in which they are owned,
5 operated, and registered. ~~Such trucks~~ A local truck shall carry on
6 ~~their license plates~~ its license plate, in addition to the
7 registration number, the designation of local truck;

8 (17) Motor vehicle means any vehicle propelled by any
9 power other than muscular power except (a) mopeds as defined in
10 section 60-637, (b) farm tractors, (c) self-propelled equipment
11 designed and used exclusively to carry and apply fertilizer,
12 chemicals, or related products to agricultural soil and crops,
13 agricultural floater-spreader implements as defined in section
14 60-6,294.01, and other implements of husbandry designed for and
15 used primarily for tilling the soil and harvesting crops or feeding
16 livestock, (d) power unit hay grinders or a combination which
17 includes a power unit and a hay grinder when operated without
18 cargo, (e) vehicles which run only on rails or tracks, (f) off-road
19 designed vehicles, including, but not limited to, golf carts,
20 go-carts, riding lawnmowers, garden tractors, all-terrain vehicles
21 as defined in section 60-6,355, snowmobiles as defined in section
22 60-663, and minibikes as defined in section 60-636, (g) road and
23 general-purpose construction and maintenance machinery not designed
24 or used primarily for the transportation of persons or property,
25 including, but not limited to, ditchdigging apparatus, asphalt
26 spreaders, bucket loaders, leveling graders, earthmoving carryalls,
27 power shovels, earthmoving equipment, and crawler tractors, (h)
28 self-propelled chairs used by persons who are disabled, and (i)

1 electric personal assistive mobility devices as defined in section
2 60-618.02;

3 (18) Motorcycle means any motor vehicle, except a
4 tractor, an all-terrain vehicle as defined in section 60-6,355, or
5 an electric personal assistive mobility device as defined in
6 section 60-618.02, having a seat or saddle for use of the rider and
7 designed to travel on not more than three wheels in contact with
8 the ground;

9 (19) Noncontracting reciprocity jurisdiction means any
10 jurisdiction which is not a party to any type of contracting
11 agreement between the State of Nebraska and one or more other
12 jurisdictions for registration purposes on commercial vehicles and,
13 as a condition to operate on the highways of that jurisdiction, (a)
14 does not require any type of vehicle registration or allocation of
15 vehicles for registration purposes or (b) does not impose any
16 charges based on miles operated, other than those that might be
17 assessed against fuel consumed in that jurisdiction, on any
18 vehicles which are part of a Nebraska-based fleet;

19 (20) Owner means a person, firm, or corporation which
20 holds a legal title of a vehicle. If (a) a vehicle is the subject
21 of an agreement for the conditional sale thereof with the right of
22 purchase upon performance of the conditions stated in the agreement
23 and with an immediate right of possession vested in the conditional
24 vendee, (b) a vehicle is subject to a lease of thirty days or more
25 with an immediate right of possession vested in the lessee, or (c)
26 a mortgagor of a vehicle is entitled to possession, then such
27 conditional vendee, lessee, or mortgagor shall be deemed the owner
28 for purposes of Chapter 60, article 3. For such purpose, there are

1 hereby adopted and incorporated by reference the provisions of
2 Article XI, International Registration Plan, adopted by the
3 American Association of Motor Vehicle Administrators, as revised
4 October 1, 2001;

5 (21) Park means to stop a vehicle for any length of time,
6 whether occupied or unoccupied;

7 (22) Passenger car means a motor vehicle designed and
8 used to carry ten passengers or less and not used for hire;

9 (23) Proof of financial responsibility has the same
10 meaning as in section 60-501;

11 (24) Self-propelled mobile home means a vehicle with
12 motive power designed for living quarters;

13 (25) Semitrailer means any vehicle without motive power
14 designed for carrying persons or property and for being drawn by a
15 motor vehicle and so constructed that some part of its weight and
16 that of its load rests upon or is carried by the towing vehicle;

17 (26) Suspension of operator's license has the same
18 meaning as in section 60-476.02;

19 (27) Total fleet distance means the total distance
20 operated in all jurisdictions during the preceding year by the
21 vehicles in such fleet during such year;

22 (28) Trailer means any vehicle without motive power
23 designed for carrying persons or property and being pulled by a
24 motor vehicle and so constructed that no part of its weight rests
25 upon the towing vehicle;

26 (29) Transporter means any person lawfully engaged in the
27 business of transporting vehicles not his or her own solely for
28 delivery thereof (a) by driving singly, (b) by driving in

1 combinations by the towbar, fullmount, or saddlemount methods or
2 any combinations thereof, or (c) when a truck or tractor draws a
3 semitrailer or tows a trailer;

4 (30) Truck means a motor vehicle that is designed, used,
5 or maintained primarily for the transportation of property;

6 (31) Truck-tractor means any motor vehicle designed and
7 used primarily for drawing other vehicles and not so constructed as
8 to carry a load other than a part of the weight of the vehicle and
9 load being drawn;

10 (32) Utility trailer means a trailer having a gross
11 weight, including load thereon, of nine thousand pounds or less
12 attached to a motor vehicle and used exclusively to carry
13 miscellaneous items of personal property. ~~Such trailers~~ A utility
14 trailer shall carry on ~~their~~ its license plate, in addition to the
15 registration number, the letter X; and

16 (33) Vehicle means any device in, upon, or by which any
17 person or property is or may be transported or drawn upon a public
18 highway except devices moved solely by human power or used
19 exclusively upon stationary rails or tracks.

20 Sec. 6. Section 60-304, Revised Statutes Supplement,
21 2002, is amended to read:

22 60-304. (1)(a) Undercover license plates may be issued
23 to state, county, city, or village law enforcement agencies and
24 shall be used only for legitimate criminal investigatory purposes.
25 Undercover license plates may also be issued to the Nebraska State
26 Patrol, the Game and Parks Commission, deputy state sheriffs
27 employed by the Nebraska Brand Committee and State Fire Marshal for
28 state law enforcement purposes, persons employed by the Tax

1 Commissioner for state revenue enforcement purposes, the Department
2 of Health and Human Services for the purposes of communicable
3 disease control or for the prevention and control of those
4 communicable diseases which endanger the public health, the
5 Department of Health and Human Services Regulation and Licensure in
6 the enforcement of drug control laws or for other investigation
7 purposes, the Department of Agriculture for special investigative
8 purposes, and the Insurance Fraud Prevention Division of the
9 Department of Insurance for investigative purposes. Undercover
10 license plates shall not be used on personal vehicles or for
11 personal use of government vehicles.

12 (b) The Director of Motor Vehicles shall prescribe a form
13 for agencies to apply for undercover license plates. The form
14 shall include a space for the name and signature of the contact
15 person for the requesting agency, a statement that the undercover
16 license plates are to be used only for legitimate criminal
17 investigatory purposes, and a statement that undercover license
18 plates are not to be used on personal vehicles or for personal use
19 of government vehicles.

20 (2) The agency shall include the name and signature of
21 the contact person for the agency on the form and pay the fee
22 prescribed in section 60-311. If the undercover license plates
23 will be used for the investigation of a specific event rather than
24 for ongoing investigations, the agency shall designate on the form
25 an estimate of the length of time the undercover license plates
26 will be needed. The contact person in the agency shall sign the
27 form and verify the information contained in the form.

28 (3) Upon receipt of a completed form, the director shall

1 determine whether the undercover license plates will be used by an
2 approved agency for a legitimate purpose pursuant to subsection (1)
3 of this section. If the director determines that the undercover
4 license plates will be used for such a purpose, he or she may issue
5 the undercover license plates in the form and under the conditions
6 he or she determines to be necessary. The decision of the director
7 regarding issuance of undercover license plates is final.

8 (4) The Department of Motor Vehicles shall keep records
9 pertaining to undercover license plates confidential, and such
10 records shall not be subject to public disclosure. Any person who
11 receives information pertaining to undercover license plates in the
12 course of his or her employment and who discloses any such
13 information to any unauthorized individual shall be guilty of a
14 Class III misdemeanor.

15 (5) The contact person shall return the undercover
16 license plates to the Department of Motor Vehicles if:

17 (a) The undercover license plates expire and are not
18 renewed;

19 (b) The purpose for which the undercover license plates
20 were issued has been completed or terminated; or

21 (c) The director requests their return.

22 (6) A state agency, board, or commission that uses motor
23 vehicles from the transportation services bureau of the Department
24 of Administrative Services shall notify the bureau immediately
25 after an undercover license ~~plates have~~ plate has been assigned to
26 ~~the~~ a motor vehicle and shall provide the equipment and license
27 number and the undercover license ~~plates' numbers~~ plate's number to
28 the bureau. The transportation services bureau shall maintain a

1 list of state-owned motor vehicles which have been assigned an
2 undercover license ~~plates~~ plate. The list shall be confidential
3 and not be subject to public disclosure. Any person who receives
4 information pertaining to undercover license plates in the course
5 of his or her employment and who discloses any such information to
6 any unauthorized individual shall be guilty of a Class III
7 misdemeanor.

8 (7) The contact person shall be held accountable to keep
9 proper records of the number of undercover plates possessed by the
10 agency, the particular license plate ~~numbers~~ number for each
11 vehicle, and the person who is assigned to the vehicle. This
12 record shall be confidential and not be subject to public
13 disclosure.

14 Sec. 7. Section 60-305.03, Revised Statutes Supplement,
15 2003, is amended to read:

16 60-305.03. (1) In case a jurisdiction is not reciprocal
17 as to license fees on commercial trucks, truck-tractors,
18 semitrailers, trailers, or buses, the owners of such nonresident
19 vehicles from those jurisdictions shall pay the same license fees
20 as are charged residents of this state. The owners of all trucks,
21 truck-tractors, semitrailers, trailers, or buses from other
22 jurisdictions doing intrajurisdiction hauling in this state shall
23 pay the same registration fees as those paid by residents of this
24 state unless such vehicles are registered as a part of a fleet in
25 interjurisdiction commerce as provided in section 60-356.

26 (2) In order to effect the purposes of subsection (1) of
27 this section and sections 60-305.02 and 60-356, the Director of
28 Motor Vehicles shall have the power, duty, and authority to enter

1 into reciprocal agreements with the duly authorized representatives
2 of other jurisdictions, including states, districts, territories,
3 or possessions of the United States and foreign countries, states,
4 or provinces, granting to vehicles or owners of vehicles which are
5 properly registered or licensed in such jurisdictions, and for
6 which evidence of compliance is supplied, benefits, privileges, and
7 exemptions from the payment, wholly or partially, of any fees or
8 other charges imposed upon such vehicles or owners with respect to
9 the operation or ownership of such vehicles under the laws of this
10 state. Such agreements or arrangements shall provide that vehicles
11 registered or licensed in this state when operated upon the
12 highways of such other jurisdictions shall receive exemptions,
13 benefits, and privileges of a similar kind or to a similar degree
14 as are extended to vehicles from such jurisdictions in this state.
15 Such agreements may be revised or replaced by new agreements from
16 time to time in order to promote greater uniformity among the
17 jurisdictions. The director may withdraw from any agreement when
18 he or she determines that it is for the best interest of the State
19 of Nebraska upon thirty days' notice.

20 Notwithstanding any provisions of the Nebraska statutes
21 to the contrary or inconsistent herewith, such agreements may
22 provide, with respect to resident or nonresident fleets of
23 apportionable commercial vehicles which are engaged in
24 interjurisdiction and intrajurisdiction commerce, that the
25 registrations of such fleets can be apportioned between this state
26 and other jurisdictions in which such fleets operate in accordance
27 with the method set out in section 60-356. A Nebraska-based fleet
28 owner may include trucks, truck-tractors, trailers, and

1 semitrailers in such apportionable fleet by listing them in an
2 application filed pursuant to section 60-356, and any trucks,
3 truck-tractors, trailers, or semitrailers so included shall be
4 eligible for a permanent license plates plate issued pursuant to
5 section 60-361. The registration procedure required by section
6 60-356 shall be the only such registration required, and when the
7 fees required by such section and section 60-361 if applicable have
8 been paid, the trucks, truck-tractors, trailers, and semitrailers
9 listed on the application shall be duly registered as part of such
10 Nebraska-based fleet and shall be considered part of a
11 Nebraska-based fleet for purposes of taxation.

12 (3) In the absence of an agreement or arrangement with
13 any jurisdiction, the director is authorized to examine the laws
14 and requirements of such jurisdiction and to declare the extent and
15 nature of exemptions, benefits, and privileges to be extended to
16 vehicles registered in such jurisdiction or to the owners or
17 operators of such vehicles.

18 When no written agreement or arrangement has been entered
19 into with another jurisdiction or declaration issued pertaining
20 thereto, any vehicle properly registered in such jurisdiction, and
21 for which evidence of compliance is supplied, may be operated in
22 this state and shall receive the same exemptions, benefits, and
23 privileges granted by such other jurisdiction to vehicles
24 registered in this state.

25 (4) When a truck, truck-tractor, trailer, or semitrailer
26 has been duly registered in any jurisdiction, including those that
27 are part of a Nebraska-based fleet registered pursuant to section
28 60-356, no additional registration or license fee therefor, except

1 as provided in section 60-361 if applicable, shall be required in
2 this state when such truck, truck-tractor, trailer, or semitrailer
3 is operated in combination with any truck, truck-tractor, trailer,
4 or semitrailer properly licensed or registered in accordance with
5 this section and section 60-356 or agreements, arrangements, or
6 declarations pursuant to such sections.

7 (5) All agreements, arrangements, declarations, and
8 amendments authorized by this section and section 60-356 shall be
9 in writing and shall become effective when filed in the office of
10 the director.

11 (6) Agreements or arrangements entered into or
12 declarations issued under the authority of this section may contain
13 provisions denying exemptions, benefits, and privileges granted in
14 such agreements, arrangements, or declarations to any vehicle which
15 is in violation of conditions stated in such agreements,
16 arrangements, or declarations.

17 (7) Properly registered shall mean a vehicle licensed or
18 registered in one of the following: (a) The jurisdiction where the
19 person registering the vehicle has his or her legal residence; (b)
20 the jurisdiction in which a commercial vehicle is registered, when
21 the operation in which such vehicle is used has a principal place
22 of business therein, and from or in which the vehicle is most
23 frequently dispatched, garaged, serviced, maintained, operated, or
24 otherwise controlled and the vehicle is assigned to such principal
25 place of business; or (c) the jurisdiction where, because of an
26 agreement or arrangement between two or more jurisdictions or
27 pursuant to a declaration, the person registering the commercial
28 vehicle has licensed the vehicle as required by such jurisdiction.

1 (8) It shall be unlawful to operate trucks,
2 truck-tractors, semitrailers, trailers, or buses owned by
3 nonresidents who are not in compliance with subsections (1) and (2)
4 of this section and with section 60-305.02 or any agreement
5 executed under the authority granted in this section.

6 Sec. 8. Section 60-305.04, Revised Statutes Supplement,
7 2003, is amended to read:

8 60-305.04. A nonresident may, if he or she applies
9 within ninety days from his or her original registration date and
10 surrenders the registration certificate and license plate or plates
11 which were assigned to him or her, receive from the county
12 treasurer or designated county official as provided in section
13 60-302, or the Department of Motor Vehicles if registration was
14 pursuant to section 60-356, a refund in the amount of fifty percent
15 of the original license fee, fifty percent of the motor vehicle tax
16 imposed in section 60-3002, and fifty percent of the motor vehicle
17 fee imposed in section 60-3007, except that no refunds shall be
18 made on any license surrendered after the ninth month of the
19 registration period for which the vehicle was registered.

20 Sec. 9. Section 60-310, Revised Statutes Supplement,
21 2003, is amended to read:

22 60-310. (1) Registration may be renewed annually in the
23 same manner and upon payment of the same fee as provided for the
24 original registration. On making an application for renewal, the
25 registration certificate for the preceding registration period
26 shall be presented with the application.

27 (2) The certificate of registration and license ~~plates~~
28 plate furnished by the department shall be valid during the

1 registration period for which they are issued, and when a renewal
2 ~~tabs~~ tab furnished pursuant to section 60-311 ~~have~~ has been affixed
3 to the license ~~plates~~ plate, the ~~plates~~ plate shall also be valid
4 for the registration period designated by such renewal ~~tabs~~ tab.

5 (3) ~~The~~ Except as provided in subsections (4) and (5) of
6 this section, the registration period for motor vehicles, trailers,
7 semitrailers, and cabin trailers required to be registered as
8 provided in section 60-302 shall expire on the first day of the
9 month one year from the month of issuance, and renewal shall become
10 due on such day and shall become delinquent on the first day of the
11 following month.

12 (4) Subsections (1) through (3) and (5) of this section
13 do not apply to dealer's license plates, repossession plates, and
14 transporter plates as provided in section 60-320, which plates
15 shall be issued for a calendar year. The registration period for
16 vehicles licensed as apportioned vehicles as provided in section
17 60-356 shall expire December 31 of each year and shall become
18 delinquent February 1 of the following year.

19 (5) Any owner who has two or more vehicles required to be
20 registered under Chapter 60, article 3, may register all such
21 vehicles on a calendar-year basis or on an annual basis for the
22 same registration period beginning in a month chosen by the owner.
23 When electing to establish the same registration period for all
24 such vehicles, the owner shall pay the registration fee, the motor
25 vehicle tax imposed in section 60-3002, and the motor vehicle fee
26 imposed in section 60-3007 on each vehicle for the number of months
27 necessary to extend its current registration period to the
28 registration period under which all such vehicles will be

1 registered. Credit shall be given for registration paid on each
2 vehicle when the vehicle has a later expiration date than that
3 chosen by the owner except as otherwise provided in sections
4 60-311.23 and 60-315.01. Thereafter all such vehicles shall be
5 registered on an annual basis starting in the month chosen by the
6 owner.

7 Sec. 10. Section 60-311, Revised Statutes Supplement,
8 2003, is amended to read:

9 60-311. (1) The Department of Motor Vehicles shall
10 furnish to every person whose motor vehicle is registered one fully
11 reflectorized license ~~plates~~ plate upon which shall be displayed
12 (a) the registration number consisting of letters and numerals
13 assigned to such ~~motor~~ vehicle in figures not less than two and
14 one-half inches nor more than three inches in height and (b) also
15 the word Nebraska suitably lettered so as to be attractive. ~~Two~~
16 ~~plates shall be furnished for every motor vehicle, except that one~~
17 ~~plate per vehicle shall be furnished for dealers, motorcycles,~~
18 ~~truck-tractors, semitrailers, trailers, cabin trailers, buses, and~~
19 ~~vehicles registered pursuant to section 60-356. The plates plate~~
20 ~~shall be of a color designated by the Director of Motor Vehicles.~~
21 ~~The color of the plates shall be changed each time the license~~
22 ~~plates are changed. Each time the license plates are changed the~~
23 ~~director shall secure competitive bids for materials pursuant to~~
24 ~~sections 81-145 to 81-162.~~

25 (2) Except for license plates issued pursuant to section
26 60-361, license plates shall be issued every ~~three~~ ten years
27 beginning with the license plates issued in the year ~~1984~~ 2005.
28 Except for plates issued pursuant to section 60-361, in the years

1 in which plates are not issued, in lieu of furnishing such plates,
2 the department shall furnish to every person whose ~~motor~~ vehicle is
3 registered one ~~or two~~ renewal ~~tabs~~, ~~as the case may be~~, tab which
4 ~~renewal tabs~~ shall bear the year for which furnished and be so
5 constructed as to ~~permit them to~~ be permanently affixed to the
6 ~~plates~~ plate. Each time the plates are reissued, the Director of
7 Motor Vehicles shall change the color of the plates and shall
8 secure competitive bids for materials pursuant to sections 81-145
9 to 81-162.

10 (3) The department may provide a distinctive license
11 plate for all motor vehicles owned or operated by the state,
12 counties, municipalities, or school districts. Such
13 government-owned motor vehicles shall display such distinctive
14 license plates when such license plates are issued or shall display
15 undercover license plates when such license plates are issued under
16 section 60-304.

17 (4) The department shall provide a distinctive plate for
18 issuance pursuant to section 60-361.

19 (5) Whenever a new license ~~plates~~ plate, including a
20 duplicate or replacement license ~~plates~~ plate, ~~are~~ is furnished to
21 any person, a fee ~~per plate~~ shall be charged in addition to all
22 other required fees. The plate fee shall be determined by the
23 department and shall only cover the cost of the plate and renewal
24 ~~tabs and stickers~~ tab and sticker but shall not exceed two dollars
25 and fifty cents. All fees collected pursuant to this section shall
26 be remitted to the State Treasurer for credit to the Highway Trust
27 Fund.

28 (6) There is hereby created the License Plate Cash Fund

1 which shall consist of money transferred to it pursuant to section
2 39-2215. All costs associated with the manufacture of license
3 plates and stickers or tabs provided for in this section and
4 sections 60-311.01, 60-311.02, 60-6,322, and 60-1804 shall be paid
5 from funds appropriated from the License Plate Cash Fund. The fund
6 shall be used exclusively for such purposes and shall be
7 administered by the department. Any money in the fund available
8 for investment shall be invested by the state investment officer
9 pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 Sec. 11. Section 60-311.02, Revised Statutes Supplement,
12 2003, is amended to read:

13 60-311.02. The letters and numerals for motorcycle and
14 trailer plates may be one-half the size of those required for motor
15 vehicles.

16 On license plates issued to a manufacturer or dealer,
17 there shall be displayed, in addition to the registration number,
18 the letters DLR.

19 On license plates issued for use on motor vehicles which
20 are exempt pursuant to subdivision (6) of section 60-3002, there
21 shall be embossed, in addition to the registration number, the word
22 exempt which shall appear at the bottom of the license plates
23 issued after January 1, 1999. The Department of Motor Vehicles may
24 provide distinctive plates for the exempt vehicles.

25 On commercial trucks and truck-tractors with a gross
26 weight of five tons or over and on farm trucks with a gross weight
27 of over sixteen tons there shall be displayed, in addition to the
28 registration number, the weight that such vehicle is licensed for,

1 using a sticker or tab on the registration plates of such trucks in
2 letters and figures of such size and design as shall be determined
3 and furnished by the department.

4 ~~When two registration plates are issued, one shall be~~
5 ~~prominently displayed at all times on the front and one on the rear~~
6 ~~of the registered vehicle. When only one plate is issued for~~
7 ~~dealers, motorcycles, semitrailers, trailers, cabin trailers, and~~
8 ~~buses, it~~ The license plate shall be prominently displayed on the
9 rear of the registered vehicle, except that ~~When only one plate~~
10 ~~is issued~~ for motor vehicles registered pursuant to section 60-356
11 and truck-tractors, ~~it~~ the plate shall be prominently displayed on
12 the front of the apportioned vehicle.

13 Any violation of this section shall be subject to a
14 penalty or penalties as provided in section 60-348.

15 Sec. 12. Section 60-311.03, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 60-311.03. (1) Any resident of this state may, in
18 addition to the application required by section 60-302, make
19 application to the Department of Motor Vehicles for a ~~set of~~
20 ~~license plates~~ plate designed by the department to indicate that
21 the applicant for the ~~plates~~ plate is a survivor of the Japanese
22 attack on Pearl Harbor if he or she:

23 (a) Was a member of the United States Armed Forces on
24 December 7, 1941;

25 (b) Was on station on December 7, 1941, during the hours
26 of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island
27 of Oahu, or offshore at a distance not to exceed three miles;

28 (c) Received an honorable discharge from the United

1 States Armed Forces; and

2 (d) Holds a current membership in a Nebraska Chapter of
3 the Pearl Harbor Survivors Association.

4 (2) The ~~plates~~ plate shall be issued upon the applicant
5 paying the regular license fee and an additional fee of five
6 dollars and furnishing proof satisfactory to the department that
7 the applicant fulfills the requirements provided by subsection (1)
8 of this section. Only one motor vehicle owned by the applicant
9 shall be so licensed at any one time.

10 (3) If the license ~~plates~~ plate issued pursuant to this
11 section ~~are~~ is lost, stolen, or mutilated, the recipient of the
12 ~~plates~~ plate shall be issued a replacement ~~plates~~ plate upon
13 request and without charge.

14 Sec. 13. Section 60-311.04, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 60-311.04. (1) Any resident of this state who was
17 captured and incarcerated by an enemy of the United States during a
18 period of conflict with such enemy and who received an honorable
19 discharge from or is currently serving in the United States Armed
20 Forces may, in addition to the application required in section
21 60-302, make application to the Department of Motor Vehicles for a
22 ~~set of~~ license ~~plates~~ plate designed to indicate that the applicant
23 for the ~~plates~~ plate is a former prisoner of war. The ~~plates~~ plate
24 shall be issued upon the applicant paying the regular license fee
25 and an additional fee of five dollars and furnishing proof
26 satisfactory to the department that the applicant was formerly a
27 prisoner of war. Only one motor vehicle owned by an applicant
28 shall be so licensed at any one time.

1 (2) If the license ~~plates~~ plate issued under this section
2 ~~are~~ is lost, stolen, or mutilated, the recipient of the ~~plates~~
3 plate shall be issued a replacement license ~~plates~~ plate upon
4 request and without charge.

5 Sec. 14. Section 60-311.05, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-311.05. (1) Any person who (a) holds an unrevoked and
8 unexpired amateur radio station license issued by the Federal
9 Communications Commission, (b) is a resident of this state, and (c)
10 is the owner of a passenger automobile, self-propelled mobile home,
11 or commercial truck may, in addition to the application required by
12 section 60-302, make application to the Department of Motor
13 Vehicles for a license plate ~~or a set of license plates~~ upon which
14 shall be inscribed the official amateur radio call letters of such
15 applicant. Such ~~plates~~ plate shall be issued, in lieu of the usual
16 numbers and letters, to such an applicant upon payment of the
17 regular license fee and the payment of an additional fee of five
18 dollars and furnishing proof that the applicant holds such an
19 unrevoked and unexpired amateur radio station license. Only one
20 such motor vehicle owned by an applicant shall be so registered at
21 any one time.

22 (2) An applicant applying for renewal of an amateur radio
23 station license ~~plates~~ plate shall again furnish proof that he or
24 she holds an unrevoked and unexpired amateur radio station license
25 issued by the Federal Communications Commission.

26 Sec. 15. Section 60-311.07, Reissue Revised Statutes of
27 Nebraska, is amended to read:

28 60-311.07. The Department of Motor Vehicles shall

1 prescribe the size and design of the license ~~plates~~ plate
2 prescribed in section 60-311.05 and furnish such ~~plates~~ plate to
3 the persons applying for and entitled to the same under section
4 60-311.05 upon the payment of the required fee.

5 Sec. 16. Section 60-311.08, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-311.08. (1) Any resident of this state who is a
8 veteran of the United States Armed Forces, who was honorably
9 discharged, and who is classified by the United States Department
10 of Veterans Affairs as one hundred percent service-connected
11 disabled may, in addition to the application required in section
12 60-302, apply to the Department of Motor Vehicles for a ~~set of~~
13 license ~~plates~~ plate designed by the department to indicate that
14 the applicant for the ~~plates~~ plate is a disabled veteran. The
15 inscription on the ~~plates~~ plate shall be D.A.V. immediately below
16 the license number to indicate that the ~~applicant for the plates~~
17 recipient of the plate is a disabled veteran. The ~~plates~~ plate
18 shall be issued upon the applicant paying the regular license fee
19 and an additional fee of five dollars and furnishing proof
20 satisfactory to the Department of Motor Vehicles that the applicant
21 is a disabled veteran. Only one motor vehicle owned by the
22 applicant shall be so licensed at any one time.

23 (2) If the license ~~plates~~ plate issued under this section
24 ~~are~~ is lost, stolen, or mutilated, the recipient of the ~~plates~~
25 plate shall be issued a replacement license ~~plates~~ plate as
26 provided in section 60-324.

27 Sec. 17. Section 60-311.09, Reissue Revised Statutes of
28 Nebraska, is amended to read:

1 60-311.09. (1) Any resident of this state may, in
2 addition to the application required by section 60-302, make
3 application to the Department of Motor Vehicles for a ~~set of~~
4 license ~~plates~~ plate designed by the department to indicate that
5 the ~~applicant for the plates~~ recipient of the plate has received
6 from the federal government an award of a Purple Heart. The
7 inscription of the ~~plates~~ plate shall be designed so as to include
8 a facsimile of the award and beneath any numerical designation upon
9 the ~~plates~~ plate pursuant to section 60-311.01 the words Purple
10 Heart separately on one line and the words Combat Wounded on the
11 line below.

12 (2) The license ~~plates~~ plate shall be issued upon payment
13 of the regular license fee and an additional fee of five dollars
14 and furnishing proof satisfactory to the department that the
15 applicant was awarded the Purple Heart. Only one motor vehicle
16 owned by the applicant shall be so licensed at any one time.

17 (3) If a license ~~plates~~ plate issued pursuant to this
18 section ~~are~~ is lost, stolen, or mutilated, the recipient of the
19 ~~plates~~ plate shall be issued a replacement ~~plates~~ plate upon
20 request and without charge.

21 Sec. 18. Section 60-311.10, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 60-311.10. In lieu of the number ~~plates~~ plate provided
24 for by section 60-311, the Department of Motor Vehicles shall issue
25 a personalized message license ~~plates~~ plate for passenger vehicles,
26 farm trucks, commercial trucks registered for ten tons gross weight
27 or less, motorcycles, self-propelled mobile homes, and cabin
28 trailers to all applicants who meet the requirements of sections

1 60-305.08, 60-311, and 60-311.10 to 60-311.13.

2 Sec. 19. Section 60-311.11, Revised Statutes Supplement,
3 2002, is amended to read:

4 60-311.11. (1) ~~License plates~~ A license plate issued
5 pursuant to sections 60-305.08 and 60-311.10 to 60-311.13 shall be
6 the same size and of the same basic design as a regular license
7 ~~plates~~ plate issued pursuant to section 60-311.

8 (2) The following conditions apply to all personalized
9 message license plates:

10 (a) County prefixes shall not be allowed except in
11 counties using the alphanumeric system for vehicle registration.
12 The numerals in the county prefix shall be the numerals assigned to
13 the county, pursuant to subsection (4) of section 60-311.01, in
14 which the vehicle is registered. Renewal of a personalized message
15 license plate containing a county prefix shall be conditioned upon
16 the vehicle being registered in such county. The numerals in the
17 county prefix, including the hyphen or any other unique design for
18 an existing license plate style, count against the maximum number
19 of characters allowed by subdivision (2)(c) of this section;

20 (b) The characters used shall consist only of letters and
21 numerals of the same size and design and shall comply with the
22 requirements of subdivision (1)(a) of section 60-311;

23 (c) A maximum of seven characters may be used, except
24 that for motorcycles, a maximum of six characters may be used;

25 (d) The characters in the order used shall not conflict
26 with or duplicate any registration number used or to be used on the
27 regular license ~~plates~~ plate or any registration number or license
28 plate already approved pursuant to sections 60-305.08, 60-311, and

1 60-311.10 to 60-311.13;

2 (e) The characters in the order used shall not express,
3 connote, or imply any obscene or objectionable words or
4 abbreviations; and

5 (f) An applicant receiving a personalized message license
6 plate for a farm truck with a gross weight of over sixteen tons or
7 a commercial truck or truck-tractor with a gross weight of five
8 tons or over shall affix the appropriate tonnage sticker to such
9 plate.

10 (3) The Department of Motor Vehicles shall have sole
11 authority to determine if the conditions prescribed in subsection
12 (2) of this section have been met.

13 Sec. 20. Section 60-311.12, Revised Statutes Supplement,
14 2002, is amended to read:

15 60-311.12. (1) Application for a personalized message
16 license ~~plates~~ plate shall be made to the Department of Motor
17 Vehicles. The department shall make available through each county
18 treasurer or designated county official as provided in section
19 60-302 forms to be used for such applications.

20 (2) Each initial application shall be accompanied by a
21 fee of thirty dollars. The fees shall be remitted to the State
22 Treasurer for credit to the Department of Motor Vehicles Cash Fund.

23 (3) An application for renewal of a license plate
24 previously approved and issued shall be accompanied by a fee of
25 thirty dollars. County treasurers or designated county officials
26 collecting fees pursuant to this subsection shall remit them to the
27 State Treasurer for credit to the Department of Motor Vehicles Cash
28 Fund.

1 Sec. 21. Section 60-311.13, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-311.13. When the Department of Motor Vehicles
4 approves an application for a personalized message license plates
5 plate, it shall notify the applicant and deliver the ~~plates~~ plate
6 to the county treasurer or designated county official as provided
7 in section 60-302 of the county in which the vehicle is to be
8 registered. The county treasurer or designated county official
9 shall deliver such ~~plates~~ plate to the applicant, in lieu of a
10 regular number ~~plates~~ plate, when the applicant complies with the
11 other provisions of law for registration of the vehicle.

12 Sec. 22. Section 60-311.14, Revised Statutes Supplement,
13 2002, is amended to read:

14 60-311.14. (1) The Department of Motor Vehicles shall,
15 without the payment of any fee except the taxes and fees required
16 by sections 60-311, 60-3002, and 60-3007, issue a license plates
17 plate for one motor vehicle not used for hire and a license plate
18 for one motorcycle not used for hire to any permanently handicapped
19 or disabled person as defined in section 18-1738 or his or her
20 parent, legal guardian, foster parent, or agent upon application
21 and proof of a permanent handicap or disability. Beginning January
22 1, 2005, an application and proof of disability in the form and
23 with the information required by section 18-1738 shall be filed
24 before a license plates are plate is issued or reissued pursuant to
25 this section.

26 (2) The license plate ~~or plates~~ shall carry the
27 internationally accepted wheelchair symbol, which symbol is a
28 representation of a person seated in a wheelchair surrounded by a

1 border six units wide by seven units high, and such other letters
2 or numbers as the Director of Motor Vehicles prescribes. Such
3 license plate ~~or plates~~ shall be used by such person in lieu of the
4 usual license plate. ~~or plates.~~

5 Sec. 23. Section 60-311.16, Revised Statutes Supplement,
6 2003, is amended to read:

7 60-311.16. (1) Any person who is the owner of a
8 historical vehicle which is thirty or more years old at the time of
9 making application for registration or transfer of title may upon
10 application register the same as a historical vehicle upon payment
11 of a fee of fifty dollars for each vehicle and be furnished a
12 license plate or plates of distinctive design in lieu of the usual
13 license ~~plates~~ plate. Such plate or plates in addition to the
14 identification number shall have the words historical and Nebraska
15 for identification. The registration shall be valid while the
16 vehicle is owned by the applicant without the payment of any
17 additional fee, tax, or license.

18 (2) In addition to the fee specified in subsection (1) of
19 this section, there shall be an initial processing fee of ten
20 dollars to defray the costs of issuing the first plate or set of
21 plates to each collector and to establish a distinct identification
22 number for each collector.

23 (3) Each collector applying for registration under this
24 section other than a nonprofit organization described in sections
25 21-608 and 21-609 must own and have registered ~~one or more vehicles~~
26 with regular plates at least one vehicle with a regular plate which
27 he or she uses for regular transportation.

28 (4) A collector, upon selling or otherwise relinquishing

1 ownership of a historical vehicle, may have ~~its~~ the registration
2 and license plate or plates transferred to another vehicle of the
3 same category in his or her possession upon payment of a fee of
4 twenty-five dollars.

5 (5) A vehicle manufactured, assembled from a kit, or
6 otherwise assembled as a reproduction or facsimile of a historical
7 vehicle shall not be eligible for registration under this section
8 unless it has been in existence for thirty years or more. The age
9 shall be calculated from the date the vehicle was originally
10 assembled as a facsimile vehicle.

11 (6) Collectors who, on August 24, 1975, have vehicles
12 registered and licensed as antique vehicles shall be permitted to
13 retain such registration and license if the collector submits an
14 affidavit to the Department of Motor Vehicles sworn to by the
15 vehicle owner that the vehicle is being collected, preserved,
16 restored, and maintained as a hobby and not for the general use of
17 the vehicle.

18 (7) An owner of a historical vehicle eligible for
19 registration under this section may use a license plate or plates
20 issued by this state in the year corresponding to the model year
21 date when the vehicle was manufactured in lieu of the plate or
22 plates issued pursuant to subsection (1) of this section subject to
23 the approval of the department. The department shall inspect the
24 plate or plates and may approve the plate or plates if it is
25 determined that the model year date license plate or plates are
26 legible and serviceable and that the license plate numbers do not
27 conflict with or duplicate other numbers assigned and in use. An
28 original-issued license plate or plates that have been restored to

1 original condition may be used when approved by the department.
2 The department may consult with an organization of old car
3 hobbyists in determining whether the date of the year of the
4 license plate or plates to be used corresponds to the model year
5 date when the vehicle was manufactured. If only one license plate
6 is used on the vehicle, the license plate shall be placed on the
7 rear of the vehicle. The owner of a historical vehicle may use
8 only one plate on the vehicle even for years in which two license
9 plates were issued for vehicles in general.

10 In addition to the fees specified in subsections (1) and
11 (2) of this section, the department shall charge and collect a fee
12 of twenty-five dollars for registration under this subsection. The
13 registration shall be valid while the vehicle is owned by the
14 applicant without the payment of any additional fee, tax, or
15 license.

16 (8) The department may adopt and promulgate rules and
17 regulations to implement this section.

18 (9) The application for registration of a historical
19 vehicle shall be made on a form prescribed and furnished by the
20 department. Such form shall contain a description of the vehicle
21 owned and sought to be registered, including the make, body type,
22 model, serial number, and year of manufacture. It shall also
23 include a description of any vehicle owned by the applicant and
24 registered by him or her with a regular registration plates license
25 plate and used for regular transportation, which description shall
26 include make, body type, model, serial number, year of manufacture,
27 and the Nebraska registration number assigned to the vehicle. The
28 application shall also include an affidavit sworn to by the vehicle

1 owner that the historical vehicle is being collected, preserved,
2 restored, and maintained by the applicant as a hobby and not for
3 the general use of the vehicle for the same purposes and under the
4 same circumstances as other motor vehicles of the same type.

5 Sec. 24. Section 60-311.17, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-311.17. Historical vehicles may be used for hobby
8 pursuits but shall not be used for the same purposes and under the
9 same conditions as other motor vehicles of the same type, and under
10 ordinary circumstances, such vehicles shall not be used to
11 transport passengers for hire. At special events that are
12 sponsored or in which participation is by organized clubs, such
13 vehicles may transport passengers for hire only if any money
14 received is to be used for club activities or be donated to a
15 charitable nonprofit organization. Trucks of such classification
16 may not haul material weighing more than one thousand pounds or be
17 used regularly in a business or occupation in lieu of other
18 vehicles with a regular license plates plate. Any such historical
19 vehicle shall not be used for business or occupation or regularly
20 for transportation to and from work, and may be driven on the
21 public streets and roads only for servicing, test drives, public
22 displays, parades, and related pleasure or hobby activities.

23 Sec. 25. Section 60-311.21, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 60-311.21. Any motor vehicle which is used for the same
26 general purposes and under the same conditions as a motor vehicles
27 vehicle registered with a regular plates plate shall be required to
28 be registered with a regular plates plate, regardless of its age,

1 and shall be subject to the payment of the same taxes and fees
2 required of a motor ~~vehicles~~ vehicle registered with a regular
3 ~~plates~~ plate. It shall be unlawful to own or operate a motor
4 vehicle in violation of this section or sections 60-311.16 and
5 60-311.17, and upon conviction of a violation of any of such
6 sections, such person shall be guilty of a Class V misdemeanor.

7 Sec. 26. Section 60-311.23, Revised Statutes Supplement,
8 2002, is amended to read:

9 60-311.23. (1) A resident of Nebraska may apply to the
10 Department of Motor Vehicles for a Nebraska Cornhusker Spirit
11 ~~Plates~~ Plate in lieu of a regular license ~~plates~~ plate on an
12 application prescribed and provided by the department for any
13 passenger vehicle, farm truck, self-propelled mobile home, cabin
14 trailer, or commercial truck registered for ten tons gross weight
15 or less pursuant to section 60-302. An applicant receiving a
16 spirit plate for a farm truck with a gross weight of over sixteen
17 tons or for a commercial truck or truck-tractor registered for a
18 gross weight of five tons or over shall affix the appropriate
19 tonnage sticker to the plate. The department shall make forms
20 available for such applications through the county treasurers or
21 designated county officials as provided in section 60-302. Each
22 application for initial issuance of a spirit ~~plates~~ plate shall be
23 accompanied by a fee of seventy dollars. An application for
24 renewal of a spirit ~~plates~~ plate shall be accompanied by a fee of
25 seventy dollars. County treasurers or designated county officials
26 collecting fees for renewals pursuant to this subsection shall
27 remit them to the State Treasurer. The State Treasurer shall
28 credit forty-three percent of the fees for initial issuance and

1 renewal of spirit plates to the Department of Motor Vehicles Cash
2 Fund and fifty-seven percent of the fees to the Spirit Plate
3 Proceeds Fund.

4 (2) When the department receives an application for a
5 spirit ~~plates~~ plate, it shall deliver the ~~plates~~ plate to the
6 county treasurer or designated county official of the county in
7 which the vehicle is registered. The county treasurer or
8 designated county official shall issue a spirit ~~plates~~ plate in
9 lieu of a regular license ~~plates~~ plate when the applicant complies
10 with the other provisions of law for registration of the vehicle.
11 If a spirit ~~plates~~ are plate is lost, stolen, or mutilated, the
12 licensee shall be issued a replacement ~~plates~~ plate pursuant to
13 section 60-324.

14 (3) (a) The owner of a vehicle bearing a spirit ~~plates~~
15 plate may make application to the county treasurer or designated
16 county official as provided in section 60-302 to have such ~~plates~~
17 plate transferred to a motor vehicle other than the vehicle for
18 which such ~~plates~~ were plate was originally purchased if such
19 vehicle is owned by the owner of the ~~plates~~ plate.

20 (b) The owner may have the unused portion of the spirit
21 plate fee credited to the other vehicle which will bear the plate
22 at the rate of eight and one-third percent per month for each full
23 month left in the registration period.

24 (c) Application for such transfer shall be accompanied by
25 a fee of three dollars. Fees collected pursuant to this subsection
26 shall be remitted to the State Treasurer for credit to the
27 Department of Motor Vehicles Cash Fund.

28 Sec. 27. Section 60-311.25, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 60-311.25. The Department of Motor Vehicles shall
3 compile and maintain a registry of the names, addresses, and
4 license numbers of all persons who obtain a special license plates
5 plate pursuant to section 60-311.14 and all persons who obtain a
6 handicapped or disabled parking permit as described in section
7 18-1739.

8 Sec. 28. Section 60-315, Revised Statutes Supplement,
9 2002, is amended to read:

10 60-315. (1) Except as otherwise provided in sections
11 60-311.23 and 60-315.01, (a) upon transfer of ownership of any
12 motor vehicle or cabin trailer as defined in section 60-301, (b) in
13 case of loss of possession because of fire, theft, dismantlement,
14 or junking, (c) when a salvage branded certificate of title is
15 issued, (d) whenever a type or class of motor vehicle previously
16 registered is subsequently declared by legislative act or court
17 decision to be illegal or ineligible to be operated on the public
18 roads and no longer subject to registration fees, the motor vehicle
19 tax imposed in section 60-3002, and the motor vehicle fee imposed
20 in section 60-3007, or (e) in case of a change in the situs of a
21 motor vehicle as defined in section 60-3001 to a location outside
22 of this state, the registration shall expire and the registered
23 owner may, by returning the registration certificate, the ~~number~~
24 ~~plates~~ license plate, and, when appropriate, the renewal ~~tabs~~ tab
25 and by either making affidavit to the county treasurer or
26 designated county official as provided in section 60-302 of the
27 occurrence of an event described in subdivisions (a) through (d) of
28 this subsection or, in the case of a change in situs, displaying to

1 the county treasurer or designated county official the registration
2 certificate of such other state as evidence of a change in situs,
3 receive a refund of that part of the unused fees ~~on passenger~~
4 ~~vehicles, trucks, and cabin trailers~~ based on the number of
5 unexpired months remaining in the registration period from the date
6 of the event, except that when such date falls within the same
7 calendar month in which the motor vehicle or cabin trailer is
8 acquired, no refund shall be allowed for such month. The
9 registered owner shall make a claim for credit or refund of the
10 unused fees within sixty days after the date of the event or shall
11 be deemed to have forfeited his or her right to such refund. For
12 purposes of this subsection, the date of the event shall be, in the
13 case of a transfer or loss, the date of the transfer or loss, in
14 the case of a change in the situs, the date of registration in
15 another state, in the case of a legislative act, the effective date
16 of the act, and in the case of a court decision, the date the
17 decision is rendered. Application for registration or for
18 reassignment of ~~number plates~~ the license plate and, when
19 appropriate, renewal ~~tabs~~ tab to another motor vehicle or cabin
20 trailer shall be made within thirty days ~~of~~ after the date of
21 purchase.

22 (2) Whenever the registered owner files an application
23 with the county treasurer or designated county official showing
24 that a motor vehicle is disabled and has been removed from service,
25 the registered owner may, by returning the registration
26 certificate, the ~~number plates~~ license plate, and, when
27 appropriate, the renewal ~~tabs~~ tab or, in the case of the
28 unavailability of such certificate, plate, or tab, ~~or certificates,~~

1 ~~number plates, or tabs,~~ then by making an affidavit to the county
2 treasurer or designated county official of such disablement and
3 removal from service, receive a credit for a portion of the
4 registration fee from the fee deposited with the State Treasurer at
5 the time of registration based upon the number of unexpired months
6 remaining in the registration year except as otherwise provided in
7 sections 60-311.23 and 60-315.01. The owner shall also receive a
8 credit for the unused portion of the motor vehicle tax and fee
9 based upon the number of unexpired months remaining in the
10 registration year. When the owner registers a replacement vehicle
11 at the time of filing such affidavit, the credit may be immediately
12 applied against the registration fee and the motor vehicle tax and
13 fee for the replacement vehicle. When no such replacement vehicle
14 is so registered, the county treasurer or designated county
15 official shall forward the application and affidavit, if any, to
16 the State Treasurer who shall determine the amount, if any, of the
17 allowable credit for the registration fee and furnish a certificate
18 therefor to the owner. For the motor vehicle tax and fee, the
19 county treasurer shall determine the amount, if any, of the
20 allowable credit and furnish a certificate to the owner. When such
21 motor vehicle is removed from service within the same month in
22 which it was registered, no credits shall be allowed for such
23 month. The credits may be applied against taxes and fees for new
24 or replacement vehicles incurred within one year after cancellation
25 of registration of the motor vehicle for which the credits were
26 allowed. When any such vehicle is reregistered within the same
27 registration year in which its registration has been canceled, the
28 taxes and fees shall be that portion of the registration fee and

1 the motor vehicle tax and fee for the remainder of the registration
2 year.

3 (3) If a vehicle has a salvage branded certificate of
4 title issued as a result of an insurance company acquiring the
5 vehicle through a total loss settlement, the prior owner of the
6 vehicle who is a party to the settlement may receive a credit or
7 refund of unused fees and taxes by (a) filing an application with
8 the county treasurer or designated county official within thirty
9 days after the date of the settlement stating that title to the
10 vehicle was transferred as a result of the settlement and (b)
11 returning the registration certificate, the license ~~plates~~ plate,
12 and, when appropriate, the renewal ~~tabs~~ tab or, in the case of the
13 unavailability of the certificate, ~~plates~~, ~~or tabs~~ plate, or tab,
14 filing an affidavit with the county treasurer or designated county
15 official regarding the transfer of title due to the settlement and
16 the unavailability of the certificate, ~~plates~~, ~~or tabs~~ plate, or
17 tab. The owner may receive a refund or credit of the registration
18 fees for the unexpired months remaining in the registration year
19 determined based on the date when the vehicle was damaged and
20 became unavailable for service. The owner may receive a credit for
21 motor vehicle taxes and fees for the unexpired months remaining in
22 the registration year determined based on the date when the vehicle
23 was damaged and became unavailable for service. If the vehicle was
24 damaged and became unavailable for service during the same month in
25 which it was registered, no refund or credit shall be allowed for
26 such month. When the owner registers a replacement vehicle at the
27 time of filing such affidavit, the credit may be immediately
28 applied against the registration fee and the motor vehicle tax and

1 fee for the replacement vehicle. When no such replacement vehicle
2 is so registered, the county treasurer or designated county
3 official shall refund the unused registration fees or forward the
4 application and affidavit, if any, to the State Treasurer who shall
5 determine the amount, if any, of the allowable credit for the
6 registration fee and furnish a certificate therefor to the owner.
7 For the motor vehicle tax and fee, the county treasurer or
8 designated county official shall determine the amount, if any, of
9 the allowable credit and furnish a certificate to the owner. The
10 credits may be applied against taxes and fees for new or
11 replacement vehicles incurred within one year after the date of the
12 settlement.

13 Sec. 29. Section 60-315.01, Revised Statutes Supplement,
14 2002, is amended to read:

15 60-315.01. (1) The owner of a vehicle bearing a
16 personalized message license ~~plates~~ plate may make application to
17 the county treasurer or designated county official as provided in
18 section 60-302 to have such ~~plates~~ plate transferred to a motor
19 vehicle other than the vehicle for which such ~~plates were~~ plate was
20 originally purchased if such vehicle is owned by the owner of the
21 ~~plates~~ plate.

22 (2) The owner may have the unused portion of the message
23 plate fee credited to the other vehicle which will bear the plate
24 at the rate of eight and one-third percent per month for each full
25 month left in the registration period.

26 (3) Application for such transfer shall be accompanied by
27 a fee of three dollars. The ~~fees~~ fee shall be remitted to the
28 State Treasurer for credit to the Department of Motor Vehicles Cash

1 Fund.

2 Sec. 30. Section 60-320, Revised Statutes Supplement,
3 2003, is amended to read:

4 60-320. (1)(a) Each licensed motor vehicle dealer or
5 trailer dealer as defined in section 60-1401.02 doing business in
6 this state, in lieu of the registering of each motor vehicle or
7 trailer which such dealer owns of a type otherwise required to be
8 registered, or any full-time or part-time employee or agent of such
9 dealer may, if the motor vehicle or trailer displays a dealer
10 number ~~plates~~ plate:

11 (i) Operate or move the same upon the streets and
12 highways of this state solely for purposes of transporting,
13 testing, demonstrating, or use in the ordinary course and conduct
14 of his or her business as a motor vehicle or trailer dealer. Such
15 use may include personal or private use by the dealer and personal
16 or private use by any bona fide employee licensed pursuant to
17 Chapter 60, article 14, if the employee can be verified by payroll
18 records maintained at the dealership as ordinarily working more
19 than thirty hours per week or fifteen hundred hours per year at the
20 dealership;

21 (ii) Operate or move the same upon the streets and
22 highways of this state for transporting industrial equipment held
23 by the licensee for purposes of demonstration, sale, rental, or
24 delivery; or

25 (iii) Sell the same.

26 The dealer number plates provided for in subsection (3)
27 of this section shall be displayed in the manner provided in
28 section 60-323.

1 (b) Each licensed manufacturer as defined in section
2 60-1401.02 which actually manufactures or assembles motor vehicles,
3 motorcycles, or trailers within this state, in lieu of the
4 registering of each motor vehicle or trailer which such
5 manufacturer owns of a type otherwise required to be registered, or
6 any employee of such manufacturer may operate or move the same upon
7 the streets and highways of this state solely for purposes of
8 transporting, testing, demonstrating to prospective customers, or
9 use in the ordinary course and conduct of business as a motor
10 vehicle, motorcycle, or trailer manufacturer, upon the condition
11 that any such vehicle display thereon, in the manner prescribed in
12 section 60-323, a dealer number ~~plates~~ plate as provided for in
13 subsection (3) of this section.

14 (c) In no event shall ~~such~~ dealer number plates be used
15 on motor vehicles or trailers hauling other than automotive or
16 trailer equipment, complete motor vehicles, semitrailers, or
17 trailers which are inventory of such licensed dealer or
18 manufacturer unless there is issued by the Department of Motor
19 Vehicles a special permit specifying the hauling of other products.
20 This section shall not be construed to allow a dealer to operate a
21 motor vehicle or trailer with a dealer number ~~plates~~ plate for the
22 delivery of parts inventory. A dealer may use such motor vehicle
23 or trailer to pick up parts to be used for the motor vehicle or
24 trailer inventory of the dealer.

25 (2) Motor vehicles or trailers owned by such dealer and
26 bearing ~~such~~ dealer number plates may be driven upon the streets
27 and highways for demonstration purposes by any prospective buyer
28 thereof for a period of forty-eight hours. Motor vehicles or

1 trailers owned and held for sale by such dealer and bearing ~~such~~
2 dealer number plates may be driven upon the streets and highways
3 for a period of forty-eight hours as service loaner vehicles by
4 customers having their vehicles repaired by the dealer. Upon
5 delivery of such motor vehicle or trailer to such prospective buyer
6 for demonstration purposes or to a service customer, the dealer
7 shall deliver to the prospective buyer or service customer a card
8 or certificate giving the name and address of the dealer, the name
9 and address of the prospective buyer or service customer, and the
10 date and hour of such delivery and the products to be hauled, if
11 any, under a special permit. The special permit and card or
12 certificate shall be in such form as shall be prescribed by the
13 department and shall be carried by such prospective buyer or
14 service customer while driving such motor vehicle or pulling such
15 trailer. The department shall make a charge of ten dollars for
16 each special permit issued under this section. A finance company
17 as defined in section 60-1401.02 which is licensed to do business
18 in this state may, in lieu of registering each motor vehicle or
19 trailer repossessed, upon the payment of a fee of ten dollars, make
20 an application to the department for a repossession certificate and
21 one repossession plate. Additional certificates and repossession
22 plates may be procured for a fee of ten dollars each. Such
23 repossession plates may be used only for moving motor vehicles or
24 trailers on the streets and highways for the purpose of
25 repossession, demonstration, and disposal of such motor vehicles or
26 trailers repossessed. Such repossession plates shall be of the
27 same size and material as the normal motor vehicle license plates
28 and shall be prefixed with a large letter R and be serially

1 numbered from 1 to distinguish them from each other. Such plates
2 shall be displayed only on the rear of a repossessed motor vehicle
3 or trailer. The certificate shall be displayed on demand for any
4 motor vehicle or trailer being operated on a repossession plate. A
5 finance company shall be entitled to a dealer number plate only in
6 the event such company has qualified as a motor vehicle dealer
7 under Chapter 60, article 14.

8 (3) (a) Any licensed dealer or manufacturer described in
9 subsection (1) of this section may, upon payment of a fee of thirty
10 dollars, make an application, on a form approved by the Nebraska
11 Motor Vehicle Industry Licensing Board, to the county treasurer or
12 designated county official as provided in section 60-302 of the
13 county in which his or her place of business is located for a
14 certificate and one dealer number plate for the type of vehicle the
15 dealer has been authorized by the Nebraska Motor Vehicle Industry
16 Licensing Board to sell and demonstrate. One additional dealer
17 number plate may be procured for the type of vehicle the dealer has
18 sold during the last previous period of October 1 through September
19 30 for each twenty vehicles sold at retail during such period or
20 one additional dealer number plate for each thirty vehicles sold at
21 wholesale during such period, but not to exceed a total of five
22 additional dealer number plates in the case of vehicles sold at
23 wholesale, or, in the case of a manufacturer, for each ten vehicles
24 actually manufactured or assembled, whether from a kit or
25 otherwise, within the state within the last previous period of
26 October 1 through September 30 for a fee of fifteen dollars each.

27 (b) Any licensed dealer or manufacturer described in
28 subsection (1) of this section may, upon payment of an annual fee

1 of two hundred fifty dollars, make an application, on a form
2 approved by the Nebraska Motor Vehicle Industry Licensing Board, to
3 the county treasurer of the county in which his or her place of
4 business is located for a certificate and one personal-use dealer
5 number plate for the type of vehicle the dealer has been authorized
6 by the Nebraska Motor Vehicle Industry Licensing Board to sell and
7 demonstrate. Additional personal-use dealer number plates may be
8 procured upon payment of an annual fee of two hundred fifty dollars
9 each, subject to the same limitations as provided in subdivision
10 (a) of this subsection as to the number of additional dealer number
11 plates. ~~Beginning January 1, 1998,~~ a A personal-use dealer number
12 plate may be displayed on a passenger car as defined in section
13 60-301 or a truck having a gross weight including any load on the
14 truck of six thousand pounds or less belonging to the dealer, may
15 be used in the same manner as a dealer number plate, and may be
16 used for personal or private use of the dealer, the dealer's
17 immediate family, or any bona fide employee of the dealer licensed
18 pursuant to Chapter 60, article 14. Personal-use dealer number
19 plates shall have the same design and shall be displayed as
20 provided in sections 60-311 and 60-311.01.

21 (c) When an applicant applies for a license, the Nebraska
22 Motor Vehicle Industry Licensing Board may authorize the county
23 treasurer or designated county official to issue additional dealer
24 number plates when the dealer or manufacturer furnishes
25 satisfactory proof for a need of additional dealer number plates
26 because of special condition or hardship. In the case of
27 unauthorized use of dealer number plates by any licensed dealer,
28 the Nebraska Motor Vehicle Industry Licensing Board may hold a

1 hearing and after such hearing may determine that such dealer is
2 not qualified for continued usage of such dealer number plates for
3 a set period not to exceed one year. All additional dealer number
4 plates shall, in addition to all other numbers and letters required
5 by section 60-311.02, bear such mark or number as will distinguish
6 such plates one from another.

7 (d) Subject to all the provisions of law relating to
8 motor vehicles and trailers not inconsistent with this section, any
9 person, firm, or corporation holding a dealer's license issued
10 pursuant to the laws of this state who is regularly engaged within
11 this state in the business of buying and selling motor vehicles and
12 trailers, who regularly maintains within this state an established
13 place of business, and who desires to effect delivery of any motor
14 vehicle or trailer bought or sold by him or her from the point
15 where purchased or sold to points within or outside this state may,
16 solely for the purpose of such delivery by himself or herself,
17 agent, or bona fide purchaser, drive such motor vehicle or pull
18 such trailer on the highways of this state without charge or
19 registration of such vehicle or trailer. There shall be displayed
20 on the ~~front and rear windows~~ window or the ~~rear side windows~~
21 driver's side rear window of such motor vehicle, except a
22 motorcycle, and displayed on the ~~front and rear~~ of each such
23 trailer a decal on which shall be plainly printed in black letters
24 the words In Transit. One In Transit decal shall be displayed on a
25 motorcycle, which decal may be one-half the size required for other
26 motor vehicles. Such decals shall include a registration number,
27 which registration number shall be different for each decal ~~or pair~~
28 ~~of decals~~ issued, and the form of such decal and the numbering

1 system shall be as prescribed by the Department of Motor Vehicles.
2 Each dealer issuing such decals shall keep a record of the
3 registration number of each decal ~~or pair of decals~~ on the invoice
4 of such sale. Such transit decal shall allow such owner to operate
5 the motor vehicle or pull such trailer for a period of thirty days
6 in order to effect proper registration of the new or used motor
7 vehicle or trailer. When any person, firm, or corporation has had
8 a motor vehicle or trailer previously registered and a license
9 ~~plates~~ plate assigned to such person, firm, or corporation, such
10 owner may operate the motor vehicle or pull such trailer for a
11 period of thirty days in order to effect transfer of ~~plates~~ the
12 plate to the new or used motor vehicle or trailer. Upon demand of
13 proper authorities, there shall be presented by the person in
14 charge of such motor vehicle or trailer, for examination, a duly
15 executed bill of sale therefor, a certificate of title, or other
16 satisfactory evidence of the right of possession by such person of
17 such motor vehicle or trailer.

18 (4) Any transporter doing business in this state may, in
19 lieu of registering each motor vehicle or trailer which such
20 transporter is transporting, upon payment of a fee of ten dollars,
21 make an application to the Department of Motor Vehicles for a
22 transporter's certificate and one transporter number plate.
23 Additional certificates and plates may be procured for a fee of ten
24 dollars each. Such transporter number plates may be the same size
25 as plates issued for motorcycles, shall bear thereon a mark to
26 distinguish them as transporter plates, and shall be serially
27 numbered so as to distinguish them from each other. Such plates
28 may only be displayed upon the front of a driven vehicle of a

1 lawful combination or upon the front of a motor vehicle driven
2 singly or upon the rear of a trailer being pulled. The certificate
3 shall be issued in duplicate. The original thereof shall be kept
4 on file by the transporter, and the duplicate shall be displayed
5 upon demand by the driver of any vehicle or trailer being
6 transported. A transporter plate or certificate may not be
7 displayed upon a work or service vehicle, except that when a
8 properly registered truck or tractor being a work or service
9 vehicle is in the process of towing or drawing a trailer or
10 semitrailer, including a cabin trailer, which itself is being
11 delivered by the transporter, then the registered truck or tractor
12 shall also display a transporter plate upon the front thereof. The
13 applicant for a transporter plate shall keep for three years a
14 record of each vehicle transported by him or her under this
15 section, and such record shall be available to the department for
16 inspection. Each applicant shall file proof of his or her status
17 as a bona fide transporter.

18 (5) Any boat dealer when transporting a boat which is
19 part of the inventory of the boat dealer on a trailer required to
20 be registered may annually, in lieu of registration of the trailer
21 and upon application to the Department of Motor Vehicles and
22 payment of a fee of ten dollars, obtain a certificate and a number
23 plate. The plate may be displayed on any trailer owned by the boat
24 dealer when the trailer is transporting such a boat. The ~~number~~
25 plate shall be of a type designed by the department and so numbered
26 as to distinguish one plate from another.

27 For purposes of this subsection, boat dealer ~~shall mean~~
28 means a person engaged in the business of buying, selling, or

1 exchanging boats at retail who has a principal place of business
2 for such purposes in this state.

3 (6) It shall be the duty of all law enforcement officers
4 to arrest and prosecute all violators of the provisions of
5 subsection (1), (2), (3), (4), or (5) of this section and see that
6 they are properly prosecuted according to law. Any person, firm,
7 or corporation, including any motor vehicle, trailer, or boat
8 dealer or manufacturer, who fails to comply with such provisions
9 shall be deemed guilty of a Class V misdemeanor and, in addition
10 thereto, shall pay the county treasurer or designated county
11 official any and all motor vehicle taxes and fees imposed in
12 sections 60-3002 and 60-3007, registration fees, or certification
13 fees due had the motor vehicle or trailer been properly registered
14 or certified according to law.

15 When any motor vehicle or trailer dealer's or
16 manufacturer's license has been revoked or otherwise terminated, it
17 shall be the duty of such dealer or manufacturer to immediately
18 surrender to the Department of Motor Vehicles or to the Nebraska
19 Motor Vehicle Industry Licensing Board any dealer number plates
20 issued to him or her for the current year. Failure of such dealer
21 or manufacturer to immediately surrender such dealer number plates
22 to the department upon demand by the department shall be unlawful.

23 (7) Any motor vehicle or trailer owned by a dealer and
24 bearing other than a dealer number plates plate as provided in this
25 section shall be conclusively presumed not to be a part of the
26 dealer's inventory and not for demonstration or sale and therefor
27 not eligible for any exemption from taxes or fees applicable to
28 vehicles with dealer number plates.

1 Sec. 31. Section 60-321, Revised Statutes Supplement,
2 2003, is amended to read:

3 60-321. (1) It shall be unlawful for any owner of a
4 motor vehicle which is being operated with an In Transit ~~decals~~
5 decal pursuant to section 60-320, which is being operated pursuant
6 to section 60-320.01, or which is required to be registered in this
7 state and which is operated on a public highway of this state to
8 allow the operation of the motor vehicle on a public highway of
9 this state without having a current and effective automobile
10 liability policy, evidence of insurance, or proof of financial
11 responsibility. The owner shall be presumed to know of the
12 operation of his or her motor vehicle on a public highway of this
13 state in violation of this section when the motor vehicle is being
14 operated by a person other than the owner. An owner of a motor
15 vehicle who operates the motor vehicle or allows the operation of
16 the motor vehicle in violation of this section shall be guilty of a
17 Class II misdemeanor and shall be advised by the court that his or
18 her motor vehicle operator's license, motor vehicle certificate of
19 registration, and license ~~plates~~ plate will be suspended by the
20 Department of Motor Vehicles until he or she complies with sections
21 60-505.02 and 60-528. Upon conviction the owner shall have his or
22 her motor vehicle operator's license, motor vehicle certificate of
23 registration, and license ~~plates~~ plate suspended by the department
24 until he or she complies with sections 60-505.02 and 60-528. The
25 owner shall also be required to comply with section 60-528 for a
26 continuous period of three years after the violation. This
27 subsection shall not apply to motor vehicles registered in another
28 state.

1 (2) An owner who is unable to produce a current and
2 effective automobile liability policy, evidence of insurance, or
3 proof of financial responsibility upon the request of a law
4 enforcement officer shall be allowed ten days after the date of the
5 request to produce proof to the appropriate prosecutor or county
6 attorney that a current and effective automobile liability policy
7 or proof of financial responsibility was in existence for the motor
8 vehicle at the time of such request. Upon presentation of such
9 proof, the citation shall be dismissed by the prosecutor or county
10 attorney without cost to the owner and no prosecution for the
11 offense cited shall occur.

12 (3) The department shall, for any person convicted for a
13 violation of this section, reinstate such person's operator's
14 license, motor vehicle certificate of registration, and license
15 ~~plates~~ plate and rescind any order requiring such person to comply
16 with section 60-528 without cost to such person upon presentation
17 to the director that, at the time such person was cited for a
18 violation of this section, a current and effective automobile
19 liability policy or proof of financial responsibility was in
20 existence for the motor vehicle at the time the citation was
21 issued.

22 Sec. 32. Section 60-323, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 60-323. Except as otherwise specifically provided, no
25 person shall operate, drive, or park or cause to be operated,
26 driven, or parked a ~~motor~~ vehicle on the public highways unless
27 ~~such~~ the vehicle at all times has a license plate displayed ~~one~~
28 ~~number plate on the back thereof and one number plate on the front~~

1 thereof, which plates shall be furnished for it as hereinbefore
2 provided on the rear of the vehicle.

3 In each registration period in which ~~registration plates~~
4 are a new license plate is not furnished, ~~such plates the old~~
5 license plate shall have affixed thereto the renewal ~~tabs~~ tab
6 furnished pursuant to section 60-311. In all cases ~~such number~~
7 ~~plates the plate~~ shall be securely fastened in an upright position
8 to the ~~motor~~ vehicle so as to prevent such ~~plates~~ plate from
9 swinging and at a minimum distance of twelve inches from the ground
10 to the bottom of the plate. No person shall attach to or display
11 on the rear of such motor vehicle any (1) ~~number~~ plate or
12 certificate other than as assigned to it for the current
13 registration period, (2) fictitious or altered ~~number plates~~ plate
14 or registration certificate, (3) ~~number plates~~ plate or
15 registration certificate that has been canceled by the Department
16 of Motor Vehicles, or (4) ~~number plates~~ plate, in any registration
17 period in which ~~plates are a plate is~~ not furnished, to which a
18 renewal ~~tabs have~~ tab has not been affixed.

19 Sec. 33. Section 60-324, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-324. All letters, numbers, printing, writing, and
22 other identification marks upon ~~such plates~~ a license plate and
23 certificate shall be kept clear and distinct and free from grease,
24 dust, or other blurring matter, so that they shall be plainly
25 visible at all times during daylight and under artificial light in
26 the nighttime. If a plate or certificate of registration is lost
27 or mutilated or has become illegible, the person to whom such plate
28 and certificate has been furnished shall immediately apply to the

1 county treasurer or designated county official as provided in
2 section 60-302 for a duplicate certificate or for a new license
3 ~~plates~~ plate, accompanying his or her application with a fee of one
4 dollar for a duplicate certificate and a fee of two dollars and
5 fifty cents for a duplicate or replacement license plate.

6 Sec. 34. Section 60-331, Revised Statutes Supplement,
7 2003, is amended to read:

8 60-331. The registration fee on commercial trucks,
9 except those trucks registered under section 60-356, shall be based
10 upon the gross vehicle weight, not to exceed the maximum authorized
11 by section 60-6,294. Gross vehicle weight means the sum of the
12 empty weights of a truck or truck-tractor and the empty weights of
13 any trailer, semitrailer, or combination thereof with which it is
14 to be operated in combination at any one time, plus the weight of
15 the maximum load to be carried thereon at any one time. The
16 registration fee on commercial truck-tractors shall be based on the
17 gross vehicle weight on such truck-tractors plus the gross vehicle
18 weight of any semitrailer, trailer, or combination thereof
19 connected therewith, except that for the purpose of determining the
20 registration fee, the gross weight of a truck or truck-tractor
21 towing or hauling a disabled or wrecked motor vehicle properly
22 registered for use on the highways shall be only the gross weight
23 of the towing truck or truck-tractor fully equipped and not
24 including the weight of the motor vehicle being towed or hauled.

25 The registration fee on such commercial trucks and
26 truck-tractors shall be at the following rates: For a gross weight
27 of three tons or less, eighteen dollars; for a gross weight
28 exceeding three tons and not exceeding four tons, twenty-five

1 dollars; for a gross weight exceeding four tons and not exceeding
2 five tons, thirty-five dollars; for a gross weight exceeding five
3 tons and not exceeding six tons, sixty dollars; for a gross weight
4 exceeding six tons but not exceeding seven tons, eighty-five
5 dollars; for a gross weight in excess of seven tons, the fee shall
6 be that for a truck having a gross weight of seven tons and, in
7 addition thereto, twenty-five dollars for each ton of gross weight
8 over seven tons, except that:

9 (1) For fractional tons in excess of the twenty percent
10 or the tolerance of one thousand pounds, as provided in section
11 60-6,300, the fee shall be computed on the basis of the next higher
12 bracket;

13 (2) The fees provided by this section shall be reduced
14 ten percent for vehicles used exclusively for the transportation of
15 livestock, poultry, unprocessed milk, grain, sugar beets, potatoes,
16 and hay; and

17 (3) Fees for trucks with a gross weight in excess of
18 thirty-six tons shall be increased by twenty percent for all such
19 trucks operated on any road or highway not a part of the National
20 System of Interstate and Defense Highways.

21 Such fee may be paid one-half at the time of registration
22 and one-half on the first day of the seventh month of the
23 registration period when the license fee exceeds two hundred ten
24 dollars. When the second half is paid, the county treasurer or
25 designated county official as provided in section 60-302 shall
26 furnish a certificate and ~~plates~~ a plate furnished by the
27 Department of Motor Vehicles which shall be displayed on such truck
28 or truck-tractor in the manner provided by law. In addition to the

1 registration fee, the department shall collect a sufficient fee to
2 cover the cost of issuing the certificate and ~~plates~~ plate.

3 If such second half is not paid within thirty days
4 following the first day of the seventh month, the registration of
5 such truck or truck-tractor shall be canceled and the registration
6 certificate and ~~number plates~~ plate shall be returned to the county
7 treasurer or designated county official. Any person who fails to
8 return such registration certificate and ~~number~~ plate when required
9 to do so shall be guilty of a misdemeanor and shall, upon
10 conviction thereof, be punished as provided in section 60-331.02.

11 Sec. 35. Section 60-331.03, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-331.03. For the registration of trucks or
14 combinations of trucks, truck-tractors, or trailers or semitrailers
15 which are not for hire and engaged in soil and water conservation
16 work and used for the purpose of transporting pipe and equipment
17 exclusively used by such contractors for soil and water
18 conservation construction, the registration fee shall be one-half
19 of the rate for similar commercial vehicles registered under
20 section 60-331, except ~~+~~ ~~PROVIDED~~, that no vehicle registered under
21 this section shall be registered for a fee of less than eighteen
22 dollars. Such a vehicle ~~+~~ ~~AND PROVIDED FURTHER~~, ~~that such vehicles~~
23 shall carry on ~~their~~ its license plate in addition to the
24 registration number the letter A.

25 Sec. 36. Section 60-334, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 60-334. For registration purposes, a tractor and
28 semitrailer unit and a commercial trailer shall be considered as

1 separate units. The registration fee of the tractor shall be the
2 fee provided for trucks and truck-tractors. Each semitrailer and
3 each commercial trailer shall be registered upon the payment of a
4 fee of one dollar. The Department of Motor Vehicles shall provide
5 an appropriate license plate or, when appropriate, renewal tab to
6 identify such semitrailers. If any truck or truck-tractor,
7 operated under the classification designated as local, farm, or A
8 or with ~~plates~~ a plate issued under section 60-311.14 is operated
9 outside of the limits of its respective classification, it shall
10 thereupon come under the classification of commercial ~~trucks~~ truck.

11 Sec. 37. Section 60-335, Revised Statutes Supplement,
12 2002, is amended to read:

13 60-335. No registration fee shall be charged for any
14 motor vehicle owned or leased and used by any city or village of
15 this state, any rural fire protection district, the Civil Air
16 Patrol, any public school district, any county, the state, the
17 United States Government, any entity formed pursuant to the
18 Interlocal Cooperation Act, the Integrated Solid Waste Management
19 Act, or the Joint Public Agency Act, or any municipal public body
20 or authority used in operating a public passenger transportation
21 system. Any motor vehicle owned or leased and used by this state
22 or any political subdivision as set forth in this section and
23 exempt from a distinct marking as provided in section 81-1021 may
24 carry ~~number plates~~ a license plate the same design and size as
25 provided in subsection (3) of section 60-311 or an undercover
26 license ~~plates~~ plate issued under section 60-304.

27 Sec. 38. Section 60-345, Reissue Revised Statutes of
28 Nebraska, is amended to read:

1 60-345. For the registration of well-boring apparatus
2 and well-servicing equipment, the registration fee shall be
3 one-twelfth of the regular commercial registration fee as
4 determined by gross weight as defined in section 60-331. Such fee
5 shall be collected and distributed in the same manner as other
6 motor vehicle fees.

7 For purposes of this section, (1) well-boring apparatus
8 shall mean trucks, truck-tractors, or combinations of trucks or
9 truck-tractors and trailers or semitrailers which are not for hire
10 and are used exclusively to travel to and from the well site
11 including (a) the well rig truck, (b) the boom truck, (c) the water
12 tank truck, and (d) such other vehicles as are used exclusively for
13 transporting well-boring apparatus to and from the well site
14 including the drill stem, casing, drilling mud, pumps and related
15 equipment, and well-site excavating machinery or equipment and (2)
16 well-servicing equipment shall mean equipment used for the (a) care
17 and replacement of down-hole production equipment and (b)
18 restimulation of a well.

19 ~~Well-boring~~ A well-boring apparatus and well-servicing
20 equipment shall carry on ~~their~~ its license ~~plates~~ plate, in
21 addition to the registration number, the designation of special
22 equipment. ~~Applications~~ Application for such a license ~~plates~~
23 plate shall be made to the county treasurer or designated county
24 official as provided in section 60-302.

25 Sec. 39. Section 60-347, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 60-347. (1) A film vehicle, subject to approval by the
28 Department of Economic Development, may be registered upon

1 application to the Department of Motor Vehicles. The Department of
2 Motor Vehicles may provide a distinctive license plates for such
3 film vehicles plate for such film vehicle.

4 (2) The registration for film vehicles shall be issued
5 only with the payment of the fees required by section 60-311 and
6 this section. The registration shall be valid for six months from
7 the date of issuance and may be renewed for a period not to exceed
8 three months upon payment of the renewal fee specified in this
9 section.

10 (3) The six-month registration fee for a film vehicle
11 shall be fifty dollars for a vehicle with a gross vehicle weight of
12 sixteen thousand pounds or less and one hundred fifty dollars for a
13 vehicle with a gross vehicle weight of more than sixteen thousand
14 pounds. The three-month renewal fee shall be twenty-five dollars.
15 All fees collected by the Department of Motor Vehicles under this
16 section shall be remitted to the State Treasurer for credit to the
17 Highway Trust Fund.

18 Sec. 40. Section 60-361, Revised Statutes Supplement,
19 2003, is amended to read:

20 60-361. (1) Upon application and payment of the fees
21 required pursuant to this section and section 60-356, the Division
22 of Motor Carrier Services of the Department of Motor Vehicles shall
23 issue to the owner of any fleet of apportionable commercial
24 vehicles with a base registration in Nebraska a permanent license
25 plate for each truck, truck-tractor, trailer, and semitrailer in
26 the fleet. The application shall be accompanied by a fee of three
27 dollars for each truck or truck-tractor and six dollars per trailer
28 or semitrailer. The application shall be on a form developed by

1 the division.

2 (2) Any plate issued pursuant to this section shall
3 remain affixed to the front of the truck or truck-tractor or to the
4 rear of the trailer or semitrailer as long as the vehicle is
5 registered pursuant to section 60-356 by the owner making the
6 original application pursuant to subsection (1) of this section.
7 Upon transfer of ownership of the truck, truck-tractor, trailer, or
8 semitrailer or transfer of ownership of the fleet or at any time
9 the truck, truck-tractor, trailer, or semitrailer is no longer
10 registered pursuant to section 60-356, the plate shall cease to be
11 active and shall be processed according to the rules and
12 regulations of the department.

13 (3) The renewal fee for each permanent plate shall be two
14 dollars and shall be assessed and collected in each license year
15 after the year in which the permanent ~~plates~~ are plate was
16 initially issued at the time all other renewal fees are collected
17 pursuant to section 60-356 unless a truck, truck-tractor, trailer,
18 or semitrailer has been deleted from the fleet registration.

19 (4)(a) If a permanent plate is lost or destroyed, the
20 owner shall submit an affidavit to that effect to the division
21 prior to any deletion of the truck, truck-tractor, trailer, or
22 semitrailer from the fleet registration. If the truck,
23 truck-tractor, trailer, or semitrailer is not deleted from the
24 fleet registration, a replacement permanent plate may be issued
25 upon application and payment of a fee of three dollars for each
26 truck or truck-tractor and six dollars per trailer or semitrailer.
27 The application for a replacement permanent plate shall be on a
28 form developed by the division.

1 (b) If the registration certificate for any fleet vehicle
2 is lost or stolen, the division shall collect a fee of one dollar
3 for replacement of such certificate.

4 (5) If a truck, truck-tractor, trailer, or semitrailer
5 for which a permanent plate has been issued pursuant to this
6 section is deleted from the fleet registration due to loss of
7 possession by the registrant, the plate shall be returned to the
8 division.

9 (6) The registrant shall be liable for the full amount of
10 the registration fee due for any truck, truck-tractor, trailer, or
11 semitrailer not deleted from the fleet registration renewal.

12 (7) All fees collected pursuant to this section shall be
13 remitted to the State Treasurer for credit to the Highway Cash
14 Fund.

15 Sec. 41. Section 60-683, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 60-683. All peace officers are hereby specifically
18 directed and authorized and it shall be deemed and considered a
19 part of the official duties of each of such officers to enforce the
20 provisions of the Nebraska Rules of the Road, including the
21 specific enforcement of maximum speed limits, and any other law
22 regulating the operation of vehicles or the use of the highways.
23 To perform the official duties imposed by this section, the
24 Superintendent of Law Enforcement and Public Safety and all
25 officers of the Nebraska State Patrol shall have the powers stated
26 in section 81-2005. All other peace officers shall have the power:

27 (1) To make arrests upon view and without warrant for any
28 violation committed in their presence of any of the provisions of

1 the Motor Vehicle Operator's License Act or of any other law
2 regulating the operation of vehicles or the use of the highways, if
3 and when designated or called upon to do so as provided by law;

4 (2) To make arrests upon view and without warrant for any
5 violation committed in their presence of any provision of the laws
6 of this state relating to misdemeanors or felonies, if and when
7 designated or called upon to do so as provided by law;

8 (3) At all times to direct all traffic in conformity with
9 law or, in the event of a fire or other emergency or in order to
10 expedite traffic or insure safety, to direct traffic as conditions
11 may require;

12 (4) When in uniform, to require the driver of a vehicle
13 to stop and exhibit his or her operator's license and registration
14 card issued for the vehicle and submit to an inspection of such
15 vehicle and the registration ~~plates~~ plate and registration card on
16 the vehicle and to require the driver of a motor vehicle to present
17 the vehicle within five days for correction of any defects revealed
18 by such motor vehicle inspection as may lead the inspecting officer
19 to reasonably believe that such motor vehicle is being operated in
20 violation of the statutes of Nebraska or the rules and regulations
21 of the Director of Motor Vehicles;

22 (5) To inspect any vehicle of a type required to be
23 registered according to law in any public garage or repair shop or
24 in any place where such a vehicle is held for sale or wrecking;

25 (6) To serve warrants relating to the enforcement of the
26 laws regulating the operation of vehicles or the use of the
27 highways; and

28 (7) To investigate traffic accidents for the purpose of

1 carrying on a study of traffic accidents and enforcing motor
2 vehicle and highway safety laws.

3 Sec. 42. Section 60-6,197.01, Revised Statutes
4 Supplement, 2002, is amended to read:

5 60-6,197.01. Upon conviction for a second or subsequent
6 violation of section 60-6,196 or 60-6,197, the court shall impose
7 either of the following restrictions on all motor vehicles owned by
8 the person so convicted:

9 (1) (a) The court shall order the motor vehicle or motor
10 vehicles immobilized at the owner's expense for a period of time
11 not less than five days and not more than eight months and shall
12 notify the Department of Motor Vehicles of the period of
13 immobilization. Any immobilized motor vehicle shall be released to
14 the holder of a bona fide lien on the motor vehicle executed prior
15 to such immobilization when possession of the motor vehicle is
16 requested as provided by law by such lienholder for purposes of
17 foreclosing and satisfying such lien. If a person tows and stores
18 a motor vehicle pursuant to this subdivision at the direction of a
19 peace officer or the court and has a lien upon such motor vehicle
20 while it is in his or her possession for reasonable towing and
21 storage charges, the person towing the vehicle has the right to
22 retain such motor vehicle until such lien is paid. For purposes of
23 this subdivision, immobilized or immobilization means revocation or
24 suspension, at the discretion of the court, of the registration of
25 such motor vehicle or motor vehicles, including the license ~~plates~~
26 plate; and

27 (b) (i) Any immobilized motor vehicle shall be released by
28 the court without any legal or physical restraints to any

1 registered owner who is not the registered owner convicted of a
2 second or subsequent violation of section 60-6,196 or 60-6,197 if
3 an affidavit is submitted to the court by such registered owner
4 stating that the affiant is employed, that the motor vehicle
5 subject to immobilization is necessary to continue that employment,
6 that such employment is necessary for the well-being of the
7 affiant's dependent children or parents, that the affiant will not
8 authorize the use of the motor vehicle by any person known by the
9 affiant to have been convicted of a second or subsequent violation
10 of section 60-6,196 or 60-6,197, that affiant will immediately
11 report to a local law enforcement agency any unauthorized use of
12 the motor vehicle by any person known by the affiant to have been
13 convicted of a second or subsequent conviction of section 60-6,196
14 or 60-6,197, and that failure to release the motor vehicle would
15 cause undue hardship to the affiant.

16 (ii) A registered owner who executes an affidavit
17 pursuant to subdivision (1)(b)(i) of this section which is acted
18 upon by the court and who fails to immediately report an
19 unauthorized use of the motor vehicle which is the subject of the
20 affidavit is guilty of a Class IV misdemeanor and may not file any
21 additional affidavits pursuant to subdivision (1)(b)(i) of this
22 section.

23 (iii) The department shall adopt and promulgate rules and
24 regulations to implement the provisions of subdivision (1) of this
25 section; or

26 (2) As an alternative to subdivision (1) of this section,
27 the court shall order the installation of an ignition interlock
28 device on each of the owner's motor vehicles if the owner was

1 sentenced to an operator's license revocation of at least one year
2 and has completed at least one year of such revocation. No license
3 reinstatement may occur until sufficient evidence is presented to
4 the department that an ignition interlock device is installed on
5 each vehicle and that the applicant is eligible for use of an
6 ignition interlock device. The installation of an ignition
7 interlock device shall be for a period not less than six months
8 commencing upon the end of such year of the operator's license
9 revocation. Notwithstanding any other provision of law, if the
10 owner was convicted of a second or subsequent violation of section
11 60-6,196 or 60-6,197, no ignition interlock device shall be ordered
12 by any court or state agency under any circumstances until at least
13 one year of the operator's license revocation shall have elapsed.

14 Sec. 43. Section 60-1306, Revised Statutes Supplement,
15 2003, is amended to read:

16 60-1306. The carrier enforcement officers shall have the
17 power (1) of peace officers solely for the purpose of enforcing the
18 laws relating to the trip permits provided for in section 66-492
19 and the International Fuel Tax Agreement Act and the laws relating
20 to the size, weight, load, and registration of buses, motor trucks,
21 truck-tractors, semitrailers, trailers, and towed vehicles, (2)
22 when in uniform, to require the driver thereof to stop and exhibit
23 his or her operator's license and registration issued for the
24 vehicle and submit to an inspection of such vehicle, ~~the~~ such
25 vehicle's plate or plates, the registration thereon, and licenses
26 and permits required under the motor fuel laws, (3) to make arrests
27 upon view and without warrant for any violation committed in their
28 presence of the provisions of the Motor Vehicle Operator's License

1 Act or of any other law regulating the operation of vehicles or the
2 use of the highways while in the performance of their duties
3 referred to in subdivisions (1) and (2) of this section and of
4 sections 60-1308, 60-1309, and 75-363 to 75-369.07, (4) to make
5 arrests upon view and without warrant for any violation committed
6 in their presence which is a misdemeanor or felony under the laws
7 of this state while in the performance of their duties referred to
8 in subdivisions (1) and (2) of this section and of sections
9 60-1308, 60-1309, and 75-363 to 75-369.07, and (5) to make arrests
10 on warrant for any violation which is a misdemeanor or felony under
11 the laws of this state while in the performance of their duties
12 referred to in subdivisions (1) and (2) of this section and of
13 sections 60-1308, 60-1309, and 75-363 to 75-369.07.

14 Any funds used to arm carrier enforcement officers shall
15 be paid solely from the Carrier Enforcement Cash Fund. The amount
16 of funds shall be determined by the Superintendent of Law
17 Enforcement and Public Safety.

18 Sec. 44. Section 60-1901, Revised Statutes Supplement,
19 2002, is amended to read:

20 60-1901. (1) A motor vehicle is an abandoned vehicle:

21 (a) If left unattended, with no license ~~plates~~ plate or
22 valid In Transit ~~decals~~ decal issued pursuant to section 60-320
23 affixed thereto, for more than six hours on any public property;

24 (b) If left unattended for more than twenty-four hours on
25 any public property, except a portion thereof on which parking is
26 legally permitted;

27 (c) If left unattended for more than forty-eight hours,
28 after the parking of such vehicle has become illegal, if left on a

1 portion of any public property on which parking is legally
2 permitted;

3 (d) If left unattended for more than seven days on
4 private property if left initially without permission of the owner,
5 or after permission of the owner is terminated; or

6 (e) If left for more than thirty days in the custody of a
7 law enforcement agency after the agency has sent a letter to the
8 last-registered owner under section 60-1903.01.

9 (2) For purposes of this section:

10 (a) Public property means any public right-of-way,
11 street, highway, alley, or park or other state, county, or
12 municipally owned property; and

13 (b) Private property means any privately owned property
14 which is not included within the definition of public property.

15 (3) No motor vehicle subject to forfeiture under section
16 28-431 shall be an abandoned vehicle under this section.

17 Sec. 45. Section 60-1902, Revised Statutes Supplement,
18 2002, is amended to read:

19 60-1902. If an abandoned vehicle, at the time of
20 abandonment, has no license plate or plates of the current year or
21 valid In Transit ~~decals~~ decal issued pursuant to section 60-320
22 affixed and is of a wholesale value, taking into consideration the
23 condition of the vehicle, of two hundred fifty dollars or less,
24 title shall immediately vest in the local authority or state agency
25 having jurisdiction thereof as provided in section 60-1904. Any
26 certificate of title issued under this section to the local
27 authority or state agency shall be issued at no cost to such
28 authority or agency.

1 Sec. 46. Section 60-1903, Revised Statutes Supplement,
2 2002, is amended to read:

3 60-1903. (1) Except for vehicles governed by section
4 60-1902, the local authority or state agency having custody of an
5 abandoned vehicle shall make an inquiry concerning the
6 last-registered owner of such vehicle as follows:

7 (a) Abandoned vehicle with a license plate or plates
8 affixed, to the jurisdiction which issued such a license plate or
9 plates; or

10 (b) Abandoned vehicle with no license plate or plates
11 affixed, to the Department of Motor Vehicles.

12 (2) The local authority or state agency shall notify the
13 last-registered owner, if any, that the vehicle in question has
14 been determined to be an abandoned vehicle and that, if unclaimed,
15 either (a) it will be sold or will be offered at public auction
16 after five days from the date such notice was mailed or (b) title
17 will vest in the local authority or state agency thirty days after
18 the date such notice was mailed. If the agency described in
19 subdivision (1)(a) or (b) of this section also notifies the local
20 authority or state agency that a lien or mortgage exists, such
21 notice shall also be sent to the lienholder or mortgagee. Any
22 person claiming such vehicle shall be required to pay the cost of
23 removal and storage of such vehicle.

24 (3) Title to an abandoned vehicle, if unclaimed, shall
25 vest in the local authority or state agency (a) five days after the
26 date the notice is mailed if the vehicle will be sold or offered at
27 public auction under subdivision (2)(a) of this section, (b) thirty
28 days after the date the notice is mailed if the local authority or

1 state agency will retain the vehicle, or (c) if the last-registered
2 owner cannot be ascertained, when notice of such fact is received.

3 (4) After title to the abandoned vehicle vests pursuant
4 to subsection (3) of this section, the local authority or state
5 agency may retain for use, sell, or auction the abandoned vehicle.
6 If the local authority or state agency has determined that the
7 vehicle should be retained for use, the local authority or state
8 agency shall, at the same time that the notice, if any, is mailed,
9 publish in a newspaper of general circulation in the jurisdiction
10 an announcement that the local authority or state agency intends to
11 retain the abandoned vehicle for its use and that title will vest
12 in the local authority or state agency thirty days after the
13 publication.

14 Sec. 47. Section 60-1908, Revised Statutes Supplement,
15 2002, is amended to read:

16 60-1908. No person other than one authorized by the
17 appropriate local authority or state agency shall destroy, deface,
18 or remove any part of a vehicle which is left unattended on a
19 highway or other public place without a license ~~plates~~ plate
20 affixed or which is abandoned. Anyone violating this section shall
21 be guilty of a Class V misdemeanor.

22 Sec. 48. Section 81-2005, Revised Statutes Supplement,
23 2002, is amended to read:

24 81-2005. ~~On and after July 20, 2002, the~~ The
25 Superintendent of Law Enforcement and Public Safety and all
26 officers of the Nebraska State Patrol, except all carrier
27 enforcement officers assigned to the carrier enforcement division,
28 shall have the power:

1 (1) Of peace officers for the purpose of enforcing the
2 provisions of the Motor Vehicle Operator's License Act and any
3 other law regulating the registration or operation of vehicles or
4 the use of the highways;

5 (2) To make arrests upon view and without warrant for any
6 violation committed in their presence of any of the provisions of
7 the act or of any other law regulating the operation of vehicles or
8 the use of the highways, if and when designated or called upon to
9 do so as provided by law;

10 (3) To make arrests upon view and without warrant for any
11 violation committed in their presence of any provision of the laws
12 of the state relating to misdemeanors or felonies, if and when
13 designated or called upon to do so as provided by law;

14 (4) At all times to direct all traffic in conformity with
15 law or, in the event of a fire or other emergency or in order to
16 expedite traffic or insure safety, to direct traffic as conditions
17 may require notwithstanding the provisions of law;

18 (5) When in uniform, to require the driver of a vehicle
19 to stop and exhibit his or her operator's license and registration
20 card issued for the vehicle and submit to an inspection of such
21 vehicle and the registration ~~plates~~ plate and registration card
22 thereon and to require the drivers of motor vehicles to present
23 such vehicles within five days for correction of any defects
24 revealed by such motor vehicle inspection as may lead the
25 inspecting officer to reasonably believe that such motor vehicle is
26 being operated in violation of the statutes of Nebraska or the
27 rules and regulations of the Director of Motor Vehicles;

28 (6) To inspect any vehicle of a type required to be

1 registered according to law in any public garage or repair shop or
2 in any place where such vehicles are held for sale or wrecking;

3 (7) To serve warrants relating to the enforcement of the
4 laws regulating the operation of vehicles or the use of the
5 highways;

6 (8) To investigate traffic accidents for the purpose of
7 carrying on a study of traffic accidents and enforcing motor
8 vehicle and highway safety laws; and

9 (9) To operate weighing stations and portable scales and
10 to perform carrier enforcement powers and duties prescribed in
11 sections 60-1301 to 60-1309.

12 Carrier enforcement officers appointed to the carrier
13 enforcement division before July 20, 2002, shall have the powers
14 and duties prescribed in sections 60-1301 to 60-1309.

15 Sec. 49. This act becomes operative on January 1, 2005.

16 Sec. 50. Original sections 60-311.03 to 60-311.05,
17 60-311.07 to 60-311.10, 60-311.13, 60-311.17, 60-311.21,
18 60-311.25, 60-323, 60-324, 60-331.03, 60-334, 60-345, 60-347, and
19 60-683, Reissue Revised Statutes of Nebraska, sections 18-1736,
20 18-1737, 60-108, 60-117, 60-304, 60-311.11, 60-311.12, 60-311.14,
21 60-311.23, 60-315, 60-315.01, 60-335, 60-6,197.01, 60-1901 to
22 60-1903, 60-1908, and 81-2005, Revised Statutes Supplement, 2002,
23 and sections 60-301, 60-305.03, 60-305.04, 60-310, 60-311,
24 60-311.02, 60-311.16, 60-320, 60-321, 60-331, 60-361, and 60-1306,
25 Revised Statutes Supplement, 2003, are repealed.